

NATIONAL MUNICIPAL REVIEW

EMBER 1953

VOLUME XLII, NO. 10

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The National Municipal Review

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NEWS for League Members

Conference Ready to Roll

The 59th National Conference on Government opens in Richmond, Virginia, on November 8. It will be the first time since 1911 that city has played host to the annual Conference conducted by the National Municipal League.



Ed. P. Phillips

More than 500 civic and business leaders, local and state officials and educators from all sections of the United States will participate for four days in over 30 dinner, luncheon, school and panel sessions dealing with a wide variety of state, county and local problems. Increasing national concern over the mounting problems encountered by local government gives added import to the 1953 Conference.

Ed. P. Phillips' committee of Richmond laymen and educators have gone "all out" to focus local attention on the general topic "Youth in Civic Affairs." Richmond's four high schools and three colleges have arranged special assemblies to take place during the Conference at which prominent Conference speakers will make addresses.

A departure from the pattern of past Conferences is emphasis this year on the role of newspapers and other mass media in mass civic education. Virginius Dabney, editor of the *Richmond Times-Dispatch*, will preside at a panel session on Wednesday morning, November 11, which will consider "The Newspaper as

a Civic Force." Robert B. Hudson, director of the University of Illinois' Office of Broadcasting, will lead a group discussing "Mass Civic Education."

In addition to jury hearings for the All-America Cities awards of 1953, sessions include such topics as "Business and Professional Men in Public Office," "Ethics for Legislators," "Municipal Public Relations," "Civic Education in the Schools," "Women as Campaigners," "The Citizen and Juvenile Delinquency" and "More Responsible States."

Meetings Held to Aid League Study

Several group meetings have been held recently in Washington and Princeton, New Jersey, to facilitate the evaluation study of the League's program and future planning being conducted by Dr. Joseph E. McLean.

Attending a two-day meeting at Princeton Inn, October 2 and 3, were: Mrs. Albert D. Cash, Cincinnati; Herbert Emmerich, Chicago; Dr. Roscoe C. Martin, chairman of Syracuse University's Department of Government; and Cecil Morgan, New York, all members of the League's Council; Lloyd Hale, Minneapolis, regional vice president; Mrs. Preston Farley, Evanston, Illinois, former secretary of the Illinois Committee for Constitutional Revision; Stanley Gordon, New York, executive associate of The Ford Foundation; Professor Victor Jones, Wesleyan University, authority on metropolitan areas;

(Continued on next page)

Competition Keen in All-America Contest

The 1953 All-America Cities awards, given annually to eleven communities presenting the best evidence of intelligent and effective citizen action, have attracted wide attention.

On the basis of a variety of impressive scrapbooks and exhibits submitted to the National Municipal League before the National Conference on Government in Richmond, where the 22 communities selected by the Contest Committee will present their cases before a jury of twelve, it appears that the competition will be keen from all areas of the U. S. George H. Gallup, jury foreman, will face the task of obtaining agreement on the eleven winners during jury sessions set for November 9-10.

The contest is five years old and was initially sponsored by the League and the *Minneapolis Tribune*. Last year *Look* magazine became co-sponsor.

More than 100 preliminary nominations for the 1953 awards were received.

Serving on the Contest Committee are Mrs. Edith P. Welty, former mayor

of Yonkers, New York; Bayard Rustin, former mayor of Montclair, New Jersey, and chairman of the New Jersey Commission on Municipal Government; and Richard S. Childs, chairman of the League Executive Committee.

Meetings

(Continued from preceding page)

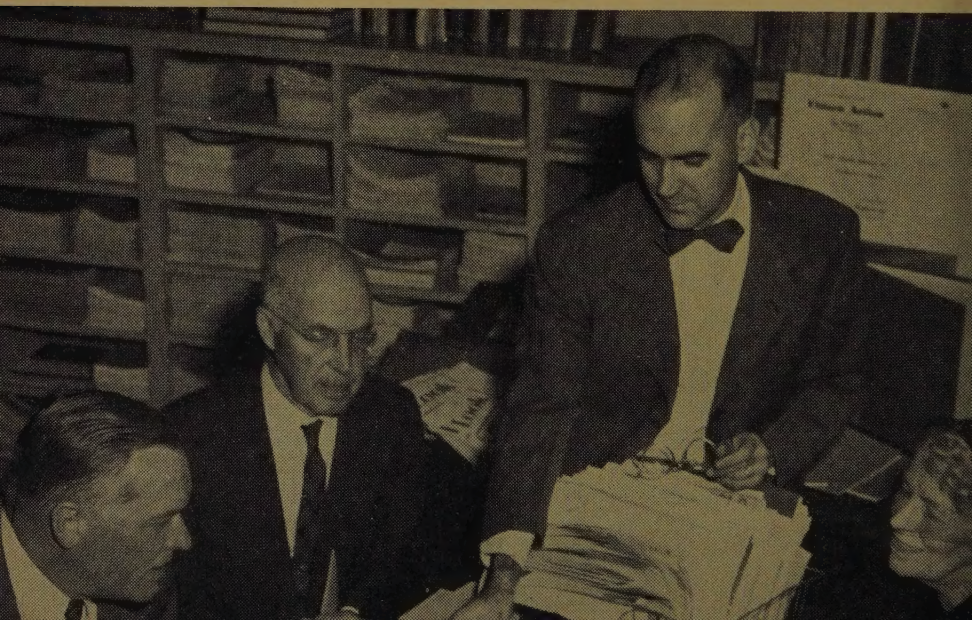
Guy C. Larcom, former director of the Cleveland Citizens League; Oxie Reichler, editor of the *Yonkers Herald Statesman*; and Dr. Wallace S. Sayre, chairman of the City College of New York's Department of Government.

Alfred Willoughby, executive director, and John E. Bebout, assistant director, also attended one session.

Four League staff members met with two groups of political scientists in Washington in September during the annual conference of the American Political Science Association.

Suggestions were made to increase the role of academicians in developing model laws and other programs.

From left to right, Bayard H. Faulkner, Richard S. Childs, William N. Cassella, Jr. (of the League staff) and Mrs. Edith P. Welty selecting the cities which will be invited to send spokesmen to appear before the All-America Cities jury.



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Editorial Comment

Voters Frustrated for 100 Years!

IT WAS on November 24, 1853, that the *National Intelligencer* reprinted from the *New York Express* the following editorial:

Confusion of a New York Election

Making every body vote for every body is only a strong description of a New York City election day. There were four regular and field state tickets on the ground election day—the Whig, the Hard-Shell, the Soft-Shell, and the Free Democrat; four city tickets—the City Reform, the Whig, the Hard-Shell, the Soft-Shell; and besides many Temperance, Free Democrat and Independent candidates. The whole number of candidates on the different lists which were circulated at the polls, regular and irregular, amounted to nearly five hundred. . . .

It is the height of folly to be making a whole state vote for inspectors of state prisons, for example. What do we here know about them, the management of them, or the proper men to manage them? If a name is on our ticket we “go it blind,” of course, and vote as we are told; and that is all we know. What folly, too, for a whole state to be voting for an engineer and surveyor, as we are doing! What do we know about *engineering* or *surveying*, or what do we care, in our respective walks of life? We are more likely to get a bad engineer than a good one under our system, because good engineers do not covet state convention nominations as poor ones do. The whole system for the state is wrong; but it is much worse when we come to the city, and vote for all the heads of the city departments, and mix up contracts, lamplighting, street-cleaning, &c. with the bustle, noise and confusion of the ballot-box.

We are very sure that there was not an honest, intelligent voter yesterday who did not feel that he had been wronged in his right of suffrage by the confusion and multiplicity of names and places which the laws had allowed to be thrown before him.

Well, since 1853 we have inched along toward the short ballot and a practice of asking the voter to settle no more than five contests on election day.

Perhaps the first hundred years are the hardest!

New Yorkers no longer elect inspectors of state prisons. The state engineer and surveyor, along with secretary of state and state treasurer, went off the ballot in 1927. More recently coroners, county clerks, registrars and sheriffs in each of the metropolis' five counties ceased to flit across the unscrutinized lower end of the ballots. Longer terms, smaller council, separation of state and municipal elections have combined to make the ballots in New York City present only half as many elective offices in a four-year cycle, 293 instead of 578 of 35 years ago!

If the judges could be taken off in response to a current effort, New York City ballots would present no more than five contests in any district each November and the voters would find themselves masters of this part of the democratic process.

Ghosts on the Jersey Ballots

ALL but three of New Jersey's 21 counties have long since transferred the functions of coroners to appointed qualified medical examiners, leaving to the coroners no duties and no pay. In 1947 New Jersey followed New York in dropping elective county coroners out of its constitution. But the Jersey statutes requiring election of coroners linger on the books.

So here is the November 1952 ballot of Essex County, with Republican and Democratic candidates for

coroner as of old. But here, too, is a handsome illustrated brochure entitled *County Government in Essex* (108 pages), published by the governing board of the county, describing the county government functions one by one. With no mention of the coroner whatever! The telephone book does not list him either!

But the dull farce of "electing" over 40 such ghosts in various New Jersey counties apparently must go on until somebody takes a duster to that section of the law.

The City Sleeps

Hush, ye, in Dorchester and State Street. Speak only quiet words, you in city hall and Berkeley Street. Let the purple panes on Beacon Hill reflect only their calm past. The city lies half slumbering, and woe to any who would awaken her.

Stop them who would build schools faster. Maybe there are politicians among them, or tactless men or men of the wrong face. Reject the careful planning of the wise ones from outside who dare to raze the halls of learning venerable with a century's dust. The foreigners know not how we would rest.

Be wary of such turbulent gentry as strive in associated zeal to make a New Boston. Someone may keep a horse to ride with clattering hooves through the still streets. Suspect the keen researches, for they cast doubt on what is, and what is has been for a long time. Prefer at the polls the machines of those unambitious ones whose slick contriv-

ings will disturb no old customs. Resist the unshackling of our public ways and leave untouched those listless streams of traffic that stop and move and slow again in gentle eddies and block the city from itself. Even though diverse citizen interests submerge differences in a great and common goal to make our streets highways again, let the heel be dragged and the hand lifted but a little. Grant one reluctant boon of timed parking, to doom it by the light touch at the curb. For the rest, make it's-been-tried-and-didn't-work wait on it's-never-been-done and it-can't do. A tired bureaucracy begs to be left alone.

This is Boston where they seek not ways of accomplishing things but ways of not accomplishing them. This is Boston where revelry is inactivity. This is Boston, frustrated and otiose, but content.

Hush, ye, in Dorchester and State Street.

Land Grabbing—Texas Style

Liberal procedures by which cities may annex adjoining unincorporated areas stir bitterness, create problems.

By J. M. CLAUNCH*

WHILE in many parts of the United States cities are completely thwarted in their efforts to annex adjacent territory, Texas communities, big and little, are having a "land grabbing" field day. Of the 106 cities in the United States which annexed one-fourth square mile or more in 1952, 20 were in Texas. Even this imposing number is not as significant as the extent of the areas annexed by the larger Texas cities.

Within the past decade Fort Worth has made two large annexations and numerous small annexations to expand its corporate area from 50 square miles to approximately 106 square miles. The city of Houston by one ordinance in 1949 annexed 79 square miles, increasing its population by 105,000 and the area by 104 per cent. That same year San Angelo annexed 21 square miles, increasing its area 280 per cent. Dallas annexed 21 square miles in 1951 and another 28 square miles in 1952. San Antonio more than doubled its area in 1952 by annexing 80 square miles. The only other city in the United States which annexed more than ten square miles in 1952 was Texas City, which expanded

slightly more than 100 per cent with the annexation of 10.76 square miles.

These headliner annexations were soon to be eclipsed by an epidemic of annexations and incorporations in Dallas County where, early in 1953, smouldering opposition engendered by earlier annexations to Dallas suddenly exploded in Grand Prairie and set off a whole chain of "protective" annexations among the smaller cities of the county and a wholesale incorporation movement in the unincorporated communities.

Grand Prairie, with an area of less than five square miles and a population of 15,000, is located between Dallas and Fort Worth in an area that is becoming rapidly industrialized. In 1948 Dallas extended its city limits down a narrow isthmus or ribbon of land to annex some industrial developments within a few blocks of Grand Prairie, which action the smaller city branded as a "tax steal." That same year Grand Prairie adopted a home rule charter, thus acquiring the power to annex adjacent territory by the simple expedient of passing an ordinance.

It is a common practice of home rule cities in Texas to stake out their claim to adjacent territory by passing an annexation ordinance on "first reading," freezing this territory until such time as the home rule city is ready actually to annex it. Grand Prairie took such "first reading" ac-

*Dr. Claunch is assistant professor of government at Southern Methodist University and executive director of the university's downtown college. He was formerly a member of the Texas legislature.

tion on three areas in 1951, two areas in 1952 and one area early in 1953, increasing the potential size of the city to approximately 30 square miles.

Then, on May 6, 1953, in a surprise action, the city council staked off annexation claims over a sprawling 72-square mile area stretching into two counties, and earmarked for eventual expansion a corporate area of more than 100 square miles. This "protective" action pushed the proposed boundaries of Grand Prairie to the doorsteps of four other cities—Arlington, Dallas, Duncanville and Irving; flanked the new multi-million-dollar Fort Worth Airport on two sides; and, ironically, swallowed up the unincorporated town of Arcadia Park (population 3,000) which only three months earlier had voted three-to-one against a proposal to incorporate.

Annexation Questioned

The surprise annexation has not gone unchallenged. Fort Worth protested the inclusion of fifteen square miles which that city had purchased as a site for guide lights for airport landing strips and the Grand Prairie city council "gave back" this area. Sixty-nine acres have been given back to Duncanville. A group of land owners has filed a \$202,000 damage suit against Grand Prairie alleging that the city has made arbitrary and capricious use of its annexation power.

Meanwhile, the other space-hungry towns in Dallas County have been "taking out insurance" for their own future. Initiatory action to expand

their corporate limits has been taken by Lancaster, Duncanville, Hutchins, Cedar Hill, Garland and Mesquite. Mesquite is drafting a home rule charter which, if adopted by the voters, will give that city the same freewheeling annexation power now enjoyed by other home rule cities.

Four new towns have been incorporated in Dallas County this year: Addison by a vote of 19 to 11; Balch Springs, 44 to 6; Daniel Dale, 14 to 1; and Sunnyvale, 51 to 1. Two other attempts to incorporate were defeated: Rylie, 252 to 128; and Arcadia Park, 338 to 98.

Since 1945 Dallas has taken in 78 square miles to make its present area 172 square miles and has staked out claims on several other small areas. The claims staked out by Grand Prairie have apparently sealed off for good any additional western annexations by Dallas. More than one-third of Dallas County's 893 square miles will be within the borders of incorporated cities if the announced annexations are ultimately completed.

The annexation procedure for home rule cities in Texas is obviously very liberal. The constitution of Texas provides that any city having a population of 5,000 or more may frame and adopt its own home rule charter and 120 cities have done so. The charter may—and usually does—provide for the extension of the corporate limits and the annexation of adjacent territory by charter amendment or ordinance, without the consent of the people or any consideration of the

need for municipal government in the annexed area.

The only serious restriction on the annexation power is the settled law that one city cannot annex any part of the territory of another city. This limitation is a formidable barrier to the orderly expansion of a city in a large metropolitan area fenced in by the strangling growth of small incorporated areas around it. Residential communities on the outskirts of home rule cities frequently have forestalled annexation by incorporating themselves as municipalities. Home rule cities have retaliated by using their extensive annexation power to completely encircle these fringe-area towns, cutting off their further development. There are, for example, four municipalities or enclaves within the borders of Dallas.

Numerous Controversies

The liberal annexation power of home rule cities in Texas does not mean that these annexations are made without opposition. They sometimes stir up bitter controversy and leave deep political scars. A post-mortem on the 80-square-mile

San Antonio annexation of 1952 would list the following subsequent developments: (1) an abortive attempt to recall five council members; (2) an unsuccessful law suit; (3) the defeat of the council and the ouster of the city manager; and (4) a disannexation ordinance passed by the new council detaching 65 square miles from the 80 square miles annexed by the previous administration.

It will be unfortunate if the injudicious use of liberal annexation powers provokes the legislature into circumscribing those powers. The current annexation spree has generated widespread opposition which may become articulate before the next session of the legislature. A group in Dallas County has organized the Texas Association for Fair Annexation and made tentative plans to set up a statewide organization. The last legislature discussed several proposals to restrict city annexation powers, and the Legislative Council of Texas has been requested to study the problem of city expansion and report its findings to the legislature in 1955.

Liquor Sales Aid to Cities

Number of municipal liquor stores in Minnesota increases; net profits of more than 17 per cent go to local coffers.

By C. C. LUDWIG*

IN 1952, 360 of the 805 cities and villages in Minnesota operated municipal liquor stores under a system of control which has proved to be an important augmentation to pinched municipal revenues.

The municipal liquor store institution was authorized in Minnesota by the State Liquor Control Act of January 6, 1934.¹ This authority gives councils in "wet" municipalities under 10,000 population the option of establishing exclusive municipal stores. The alternative method is, of course, licensing.

In the nineteen years since the stores were authorized, their number has grown steadily until now the municipalities with such stores substantially exceed those which license private outlets. There were 165 cities and villages with municipal liquor stores in 1940, 208 in 1945, 301 in 1948, and 360 in 1952.

Each municipality is permitted to decide for itself whether sales are to be made through off-sale or package stores—for consumption off the premises only, on-sale stores—for consumption on the premises only, or both. Of the present number, 293

are combination on- and off-sale outlets and 67 are off-sale outlets.

A municipality is not limited to one store by law, although most operate one only. A few places have two and International Falls has four.

As authority to operate a municipal liquor store is given to cities and villages under 10,000 population only, the large proportion of municipalities having such stores does not mean a similarly large percentage of the state's people live in municipal liquor store communities. The population living in these places totals only 448,369 of the state's total incorporated population of 2,017,720. The three first class cities—Minneapolis, St. Paul and Duluth, five second class cities, and twelve of the fifteen third class cities are not permitted such stores.

Richfield, Robbinsdale and Bemidji, although over 10,000 population, instituted municipal stores before reaching that size. An amendment to the liquor control act permits such places to continue in the liquor business if approved by the voters at a referendum. The citizens of these three cities gave overwhelming approval to the municipal stores.

The approximate 1952 division of the state's 805 municipalities among the various classes of liquor regulation are: Municipalities licensing private dealers, 250; municipalities operating municipal liquor stores, 360; municipalities dry under county

*Mr. Ludwig, formerly city manager of Albert Lea, Minnesota, and former director of field services for the American Municipal Association, is executive secretary of the League of Minnesota Municipalities, professor of political science at the University of Minnesota and director of the university's Municipal Reference Bureau.

¹Laws, Extra Session 1933-34, Chapter 46.

option law, 145; dry municipalities in wet counties, 50.

The municipal store alternative which has been made available to the small cities and villages is a supplement to the basic system for establishing a "wet" or "dry" status. This is essentially the county option system under which a county-wide vote determines whether the municipalities within the counties are wet or dry. In the smaller municipalities in the wet counties there is the additional local option to vote dry. However, there is no similar local option for municipalities to vote wet in dry counties.

Wet and Dry Counties

The Minnesota Liquor Control Act of 1934 divided the 87 Minnesota counties into 59 wet and 28 dry counties on the basis of their votes on the repeal of the eighteenth amendment. Counties remained in their respective categories until a county-wide vote of the people changed their status. Seventeen dry counties have voted to become wet since repeal. None has changed from a wet to a dry status.

In 1945 the legislature modified the county option law to permit a county-wide vote on the question of liquor sales through municipal liquor stores only. Under this authority an additional favorable vote of the people in each municipality desiring to establish a store is also required. Eight counties have voted to permit municipal liquor stores. Two more are in substantially the same situation because of special acts. (These are probably unconstitutional but have never been challenged.)

The net result of these changes is that there are now 11 dry counties, 66 wet, with 10 occupying the "modified" status.

Under the Minnesota plan each wet municipality must decide whether sales are to be through municipal stores or through licensed private outlets. Each is an exclusive method of sale except that, according to rulings of the attorney general, certain private clubs which have been in existence for twenty years are permitted, notwithstanding the establishment of a municipal store.

Except in those few counties where only municipal liquor stores are permitted—where a vote of the people in the municipality concerned is required—the question of establishing a municipal liquor store is entirely one for the council to decide. This situation is, of course, affected by initiative and referendum provisions in home rule charter cities. In at least two cities municipal liquor stores were established by the voters through initiated ordinances.

Despite the lack of clear-cut legal authority, many councils have submitted the question of municipal liquor store establishment to their voters at advisory elections. These votes have no legal effect but have usually been followed by councils sensitive to public opinion.

Of the three possible types of control available—prohibition, dispensing of liquor through municipal liquor stores and dispensing of liquor through licensed private outlets—many Minnesota municipal officials have declared that the second method, at least in the smaller municipal-

ities, is the most practical. These officials include many whose personal predilection on liquor questions may be classified as temperance or dry.

None of these methods of control is without abuse and evasion but, on the whole, it is fair to say that the Minnesota cities and villages which have elected to undertake the municipal store method of control have improved the situation.

In an institution of this kind, of course, there are occasional examples of public officials who do not appreciate the control purpose of the institution and who fail to manage their public trust as strictly and efficiently as they should. Some instances of law violation and several instances of financial mismanagement have been discovered. Through the efforts of the Minnesota Municipal Liquor Stores Association, the League of Minnesota Municipalities, the state public examiner's office and the state liquor control commissioner's office, however, continuous pressure for the improvement of law observance and financial management is being applied.

The relative success in control which municipal officials are securing through municipal liquor stores has undoubtedly influenced many voters to vote wet or modified wet in the county option votes which have occurred recently. The financial prospects, of course, also have a bearing on these votes.

Almost without exception municipal liquor dispensaries have been highly profitable ventures. In 1952 the village of Richfield cleared \$130,422. The percentage of net

profit to sales in 1952 of on- and off-sale stores was 18.3 per cent and of off-sale stores 15 per cent. Net income on sales for all municipal stores amounted to 17.6 per cent.

A Profitable Business

In the public examiner's report on municipal liquor stores for 1952, sales totaled \$33,519,528 for 355 municipalities. Net income from these operations was \$5,908,375 and \$5,084,239 of this went into other municipal funds. Ten cities and villages had municipal liquor sales of over \$350,000 each in 1952.

There is nothing in the statutes about the operation of the municipal liquor store beyond the enabling authority to establish such stores. The legislature evidently contemplated that the city or village council should control their operation.

The municipal liquor store is usually placed in the immediate charge of a manager, who acts under the direction of the council. He and other store employees are selected by the council and the council fixes their compensation. As municipal stores were established to remove the private profit motive from liquor sales, the manager may not participate in the profits in lieu of salary.

Municipal liquor store receipts constitute municipal funds and a surplus may be used for any municipal purpose. For example, store profits may be transferred to the general fund and used to finance municipal improvements or to meet current expenses or they may be transferred to any special fund not subject to other restrictions.

The availability of liquor fund transfers (or indirect municipal sales taxes on liquor drinkers) makes it possible for councils to reduce property taxes, but there is no real evidence that this has been the result; it appears that the additional revenue has been devoted to an enriched or improved municipal service.

Because of the difficulties involved in the revocation of licenses, the most appropriate time to establish a municipal dispensary is upon expiration of the liquor licenses outstanding. Since a license is only a privilege to conduct a business, subject to police regulation and control, and a liquor license may be granted or refused in the discretion of the council, the fact that private dealers have been licensed to operate in the past does not give them a vested right to continue in business under license in the future. If a municipal store is set up at the time when private licenses expire, the dealers can have no legal cause for complaint because establishment of the store results in the loss of their business.

In 1945 the Minnesota legislature passed an obscurely worded law requiring municipalities establishing stores to purchase the stock, equipment and other tangible personal property of private liquor dealers. The law's effectiveness has been limited by four district court decisions holding that private liquor dealers whose licenses have expired are not protected by the act. Most municipalities attempt to reach an agreement with private dealers when a municipal store is established.

Stores may be financed out of the

general fund, through revenue certificates or general obligation bonds.

The municipal liquor store is by no means accepted as a permanent institution by a number of groups in the state. Besides those supporting private licensing there is opposition from the drys and from those who see a danger in public ownership. Indeed, opposition seems stronger each legislative session.

Some Opposition

In the nineteen years of the stores in Minnesota, about 23 municipalities have reverted from the municipal outlet to the private licensing system. A number of these were in the first years and there seems to be no further trend away from the municipal system. Last year two places went to private outlets.

Private liquor dealers and their organized associations have, of course, been violently opposed to the municipal liquor store movement. Alarmed by the apparent trend toward municipal ownership, they have gone before each session of the legislature with proposals which would handicap the establishment and operation of municipal dispensaries.

In 1947 a bill which would have required every municipality thereafter establishing a public store to continue to license as many private outlets as it had licensed before—a complete reversal of the established policy of either municipal or private monopoly—was vetoed by Governor Youngdahl after adoption by the legislature by a two-vote margin.

In the recent session the most extreme measure proposed would have

prohibited establishment of new municipal liquor stores and expansion of existing ones, but this bill was never given a committee hearing. More effort was put behind a bill compelling approval of the voters before a city or village "went municipal," a proposal which municipal officials generally opposed because they felt it was "loaded" by its terms in favor of private licensing. This bill, after being changed first one way and then the other, narrowly missed adoption.

Changes Advocated

Other bills proposed in recent sessions would require municipal liquor stores to share their profits with the county and state or subject their net incomes to the state income tax (appealing to many drys as well as to private license advocates), but these have been strongly opposed by municipal liquor store cities and have never been reported out of committee. Thus far private license advocates seem to have been much less interested in them than in bills putting barriers in the way of municipal liquor store establishment.

A law passed by the 1953 legislature provided a new rule for control of municipal liquor stores. Store operation may be suspended after conviction of an employee of certain offenses under the liquor control act. These include sales to minors, after-hour sales, wholesaling, selling untaxed liquor, price violations and permitting gambling or gambling devices. The procedure after a conviction requires notice to the liquor control commissioner and summary

proceeding in district court which can end in a court order of suspension for a period not exceeding 30 days.

The League of Minnesota Municipalities supported this bill on the theoretical ground that the liquor business requires double policing and that where the local government is a lax policing agent—perhaps because it is also proprietor—the state through the state liquor control commissioner's office or the courts should have a limited suspension power.

Efforts on two or three occasions to have the law broadened to permit third class cities or even larger municipalities to establish local stores have been fruitless. The League of Minnesota Municipalities has several times included in its legislative program a commitment in favor of such an expansion but it has been virtually impossible to secure progress with such a bill.

It is fair to conclude that: (1) on the whole, the municipal liquor store institution has been well administered; (2) "control" in a difficult law enforcement field has been improved; (3) pinched finances of municipalities have been substantially improved through the liquor store revenues which have been made available for other public purposes; (4) resistance to expansion of the system to larger cities is great and there is no immediate prospect for such an expansion; (5) the municipal liquor store is not fully accepted; substantial opposition is expressed every legislative session on vested interest, theoretical or ideological grounds.

Reorganization in Illinois

Many recommendations of 'Little Hoover' group adopted are noncontroversial; significant changes remain to be made.

By SAMUEL K. GOVE*

DURING the last few years, many articles have been written on the reorganization proposals of the "Little Hoover" commissions established in more than half the states.¹ These articles have spelled out the scope of the recommendations made by the commissions and discussed the significant variations in approaches used.

Little has been written, however, on the action taken on the reports by legislatures and administrative agencies.² It is the purpose here to discuss the reception given one reorganization report, that of Illinois, and to highlight some reasons for its moderately successful reception.

The reception given the plan has been classified "ambivalent" by Professor Bosworth. This writer believes

a more accurate description would be "moderately successful." The General Assembly passed some 90 bills carrying out commission recommendations at the first legislative session after receiving its "Little Hoover" report, 1951, and an additional 15 bills at the 1953 session. Admittedly, however, many of these bills pertained to relatively minor, noncontroversial recommendations. In comparison to the legislative action, the reception given by state agencies was generally favorable and most of the recommendations that could be adopted by administrative action have been accepted. It appears that only one other state, New Hampshire,³ has had a more successful over-all reception to its current reorganization program.

The Illinois Commission to Study State Government, created by the 1949 General Assembly with the joint backing of the administration and legislative leaders of both political parties, was directed to report its recommendations to the 1951 legislature. The chairman, one of three citizen members, was formerly an administrative assistant to the governor; the remaining two citizen members were leading industrialists. The six legislative members were leaders in the General Assembly.

The commission was directed "to

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¹See, for example, Ferrel Heady, "States Try Reorganization," the *REVIEW*, July 1952, pages 334-338; John A. Perkins, "Reflections on State Reorganizations," *American Political Science Review*, June 1951, pages 507-516; Sidney Spector, "What the 'Little Hoover' Commissions Say about Personnel," *Public Personnel Review*, July 1951, pages 113-120.

²Professor Karl Bosworth has discussed generally the reception given by the various state legislatures in "The Politics of Management Improvement in the States," *American Political Science Review*, March 1953, pages 84-99.

³See John D. Langmuir, "New Hampshire's Reorganization Program," *State Government*, February 1951, pages 40-41.

make a survey of the entire structure of state government, its organization, functions and interrelationships of all units including advisory and executive boards," but it was not to study the revenue system or the structure of local government. The commission placed a self-imposed restriction on its study by not including the legislative and judicial branches as well as the state's organization for higher education.

A further self-imposed limitation was on recommendations involving constitutional changes. The Illinois constitution had not been amended since 1908 and it seemed, when the commission began its study, that it would be some time before any amendments would be adopted. The commission, of course, had no way of forecasting that a month before its final report was completed Illinois voters would adopt the "gateway" amendment, providing for a revised and less rigid amending process for the future.⁴

1917 Reorganization

Because of a previous reorganization of the state government in 1917 and certain significant changes adopted in 1943, the commission's work was not as complex as would be the case in most states. Consequently the study was able to include a more detailed analysis of administrative procedures as well as certain relatively minor organizational aspects of state government.

The 1917 reorganization, known

as the Lowden report, is frequently referred to by political scientists as the "landmark in state government reorganization." This report, adopted practically intact by the General Assembly in 1917, located the governmental functions in a departmentalized structure not unlike that found by the present commission.

The most significant changes since 1917 were in the creation of numerous new boards and commissions outside the so-called code departments. The 1943 improvements were not part of an over-all reorganization movement but rather were an attempt to effect a limited number of desirable changes. This program resulted in creation of two new code departments, adoption of a position classification plan and establishment of a central accounting system.

After the completion of the reorganization undertaken by Governor Dunne, and implemented during Governor Lowden's administration in 1917, the executive branch consisted of nine code departments, seven offices headed by elective officials and a dozen miscellaneous agencies. The "Little Hoover" commission pointed out in its report that it found the same seven elective offices but that the number of code departments had increased to thirteen and miscellaneous agencies to 59.

The commission appointed, as director of research, Dr. Jack F. Isakoff, who took leave from his position as research director for the Illinois Legislative Council. The legislative members of the commission, in particular, had confidence in his ability, and they were primarily

⁴See William O. Winter and Robert A. McGrath, "Illinois Votes the Blue Ballot," the REVIEW, February 1951, pages 88-91.

responsible for his appointment. A research staff of six full-time men was recruited, supplemented on a limited basis both by individual consultants and private consultant firms. Because the major segments of the research were done by the staff the charge of "outsiders" dominating the study was never applicable.⁵

If all the recommendations of the commission had been adopted, the structure of the state government would consist of the same seven elective offices, thirteen code departments (with considerable shuffling of functions and some changes in names), and about 30 miscellaneous boards and commissions. Most of the other recommendations pertained to improved administrative practices and procedures. The commission used a "practical" approach rather than a theoretical one in its report, and consequently many recommendations were omitted that some theorists might have deemed desirable. Partly because of the approach used, only four dissents were included in the final report.

Action on Recommendations

Even before the report was issued, Governor Adlai Stevenson took the first significant action when he abolished, by administrative order, the Bureau of Industrial Hygiene in the Department of Public Health. This move, in accord with a commission recommendation, was based on a

finding that the bureau duplicated a similar unit in the Department of Labor. During the 1951 legislative session an unsuccessful attempt was made to reverse the gubernatorial action.

Most of the commission's recommendations required legislative action for implementation and during the 1951 session, members of the commission introduced about 160 bills carrying out their recommendations. These bills were drafted under the supervision of the research staff, and one of the staff members was assigned to aid the legislative members. Of the bills introduced, 78, or just under half, were enacted into law.

Non-commission legislators introduced other bills carrying out commission recommendations, and a dozen of these became law, bringing the grand total passed to 90. This is impressive when it is realized that both houses were Republican-controlled while the governor was a Democrat. This may, however, have aided the program in that neither party wanted an "obstructionist" label. Except in a few isolated instances, the report did not become a partisan issue during the session.

At the 1953 session additional "Little Hoover" recommendations were adopted, although there was no well organized movement to push the report. Two members of the commission, still in the legislature, did attempt to get bills implementing recommendations adopted, and by the adjournment of the session some fifteen became law. Moreover two new special study commissions

⁵For a discussion of the research methods of the Commission see George H. Watson, "How to Study State Government: The Schaefer Commission Reports on Reorganization in Illinois," *Illinois Law Review*, March-April 1951, pages 19-47.

and a subcommittee of a standing committee made recommendations in accord with those of the "Little Hoover" commission and certain of these were adopted. Legislative interest, however, had fallen appreciably in the two years between the filing of the report in 1951 and the 1953 session.

Other action on the commission's report was taken by agencies of the executive branch. This type of recommendation varied greatly in importance: a few proposed state withdrawal from certain governmental activities while others suggested relatively minor internal reorganizations within agencies. A 1952 survey made for the governor showed that the large majority of recommendations of this type had received favorable action by state agencies.

Recommendations Adopted

Many of the commission's major recommendations have not yet been adopted by the legislature. This probably can be explained by the fact that there has been no extensive effort to establish a citizen movement to support the program. And, although the report did get favorable newspaper coverage when it was originally released in 1951, no extensive program to educate the public on the proposals was undertaken. The legislature, therefore, was not under any great pressure to vote the entire report into law and, in fact, some interest groups were successful in defeating certain of the proposals almost as soon as they were introduced.

One of the most important recommendations adopted transferred the

administration of the state parks from the Public Works Department—an agency primarily concerned with highways—to the Conservation Department. This transfer went only part way in creating the proposed department of natural resources and conservation, but persons familiar with the reorganization study felt that it was an important step in the right direction.

As far as state finances are concerned, the most important recommendation adopted provided that the state should charge for maintenance of patients in state institutions. This provision was embodied in the state's revised mental health code rather than in a bill sponsored by the commission, although the recommendation was included in its report. Safeguards were taken in the phrasing of this recommendation to make sure that no deserving person was deprived of treatment and charges were to be made on an ability-to-pay basis.

Another far reaching recommendation helped to amend some of the inadequacies of the state's personnel administration system. The revised civil service law now provides, among other things, for continuous recruitment for state employment and a more workable discharge procedure for incompetent employees.

At the 1953 session, the General Assembly adopted reorganization legislation providing for the commitment of youthful offenders to a state agency, the Youth Commission, rather than to a specific institution. Also the regulation of the trucking

industry was transferred from the Public Works Department to the Commerce Commission and the activities of the Division of Vocational Rehabilitation were coordinated with those of the Department of Public Welfare. In addition, the Division of Lodging House Inspection was abolished as its functions duplicated those of local governmental agencies.

Other bills becoming law during both legislative sessions pertained to the post-auditing powers of the state auditor and to the consolidation of state election boards. Some laws provided for the abolition of minor or dormant boards and commissions, while others provided for statutory clarifications, such as redefining an agency's duties to conform with its actual exercised powers and duties or to internal reorganizations within agencies.

Future Action

The most significant among the bills defeated would have centralized all the state's welfare functions in the present Welfare Department, including the transfer of the Public Aid Commission's functions, mainly concerned with administration of the public assistance programs, to the Department of Public Welfare, the agency concerned primarily with the administration of the state's mental institutions.

Another bill twice defeated would have changed the name of the Department of Finance to the Department of Administration, which would have been given added responsibilities. Other recommendations would have created new departments of natural resources and conservation,

of highways and of military and veterans affairs. The activities of several independent agencies would have been transferred to existing code departments by other defeated bills.

It is expected that more of these recommendations will be adopted, possibly with modifications, as the new administration has time to give them more detailed study before the convening of the next General Assembly in 1955.

Conclusion

It is, of course, impossible to pick out any one reason for this "moderately successful" reception, but below are listed the factors that were probably most important:

1. Having legislative members of the commission from both political parties, who were willing and able to handle effectively the reorganization program before the General Assembly.

2. Composition of the commission, with both outstanding private citizens and legislative leaders as members. The state government was reviewed by persons familiar with the existing situation as well as by those who could provide unbiased observations.

3. The type of report prepared, namely a "practical" one. The report was not idealistic and, because of this approach, some recommendations that might have properly been included were omitted. Also the appearance of harmony among commission members, as evidenced by only four relatively minor dissents, may have been important.

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Industrial Peace in Toledo

Effort of city's Labor-Management-Citizens Committee brings harmony to industry instead of former strife.

By JEROME GROSS*

IS A city mediation agency a good investment? In Toledo the answer is a definite affirmative. After more than eight years of experience, this glass and automotive community thinks its dividends on a small mediation investment are pretty good.

Toledo's Labor-Management-Citizens Committee is not a panacea for all ills. It has not eliminated all the trouble in our labor-management affairs. But it has greatly minimized the impact of industrial warfare on the community.

The Labor-Management-Citizens Committee has a four-point program of accomplishment. It has:

1. Settled a total of 560 labor disputes;
2. Lessened the suspicion and rancor existing between labor and management;
3. Developed better working relationships between employer and employee generally and assisted specific strife-ridden plants to develop better relationships;
4. Started a spirit of cooperation between unions and companies now reflected in over-all civic activities.

Since LMC started its mediation duties it has averted 153 strikes. In other instances, where work stoppages had already occurred, the duration was decreased.

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Such averted stoppages range from small service establishments to large industrial plants and utilities. In one specific utility, on which the city depends for industrial and home gas supplies, a work stoppage was averted in four successive years. In the fifth year a strike was ended quickly before complete service had to be curtailed.

On the second count, the lessening of suspicion, we enter into an intangible field. One opinion is that of Richard Gosser, militant international vice president of the CIO Auto Workers Union. Some time ago, in a newspaper interview, Mr. Gosser remarked: "LMC is slowly taking away the greatest single thing that keeps labor and management apart—fear and distrust. I believe that eventually LMC will be able to iron out 95 per cent of all disputes, although under a free enterprise system we shall always have some strikes."

This thought is shared by Jules D. Lippmann, textile manufacturer, past president of the local employers association and the Chamber of Commerce. He declares: "Our associations on LMC have evaporated the barriers between industry and labor. We have realized a better understanding and a good feeling compatible with peaceful solutions to our mutual problems."

In the third instance we have two subsections. Through its regular

quarterly meetings the LMC provides a continual clearing house for business and labor. Many problems which threaten to disrupt industrial harmony are threshed out before they become serious. It has set the pace for early pre-struggle conversations on controversial matters. In specific plants LMC has encouraged talking out rather than fighting out problems. One instance, a medium-size plant, is a good case in point.

During the early years, LMC was almost continually involved in mediation of disputes in this plant. It encouraged top labor and management leadership to list their grievances at a meeting with an LMC panel. It suggested avenues of settlement and helped them get started on a better grievance procedure.

A few months ago this large union was host to its employers at a picnic. For the first time in four years I met the company and union heads of this particular plant. I commented that it had "been a long time," as we shook hands. The company president said dryly, "It's going to be a still longer time until we see you any way but socially." The union chairman smiled his agreement.

A marked illustration of the last point occurred in Toledo just a short time ago. Recently the AFL and CIO unions set up a committee to help attract new industry to Toledo and the Chamber of Commerce announced expansion of its industrial development program.

At the unions' invitation, civic, business and labor leaders gathered at lunch to pledge cooperation in a joint effort to improve the city. They

did not confine themselves to vague generalities. The unions pledged freedom from jurisdictional troubles; assured management wage rates would be geared to the competitive level of their own industry. Business pledged its active support of a concerted and cooperative industrial development campaign. Attending this meeting were people from labor and industry who met for the first time across a conference table eight years ago—at the formation of the Labor-Management-Citizens Committee.

Formation of Committee

It is proper to pause and ask two questions. How does the LMC work and how did it come about?

To answer the last question first, Toledo is a highly organized industrial community. During the '30s labor strife caused great property damage and even loss of life. An early citizens committee was started in 1935 to attempt dispute settlement. It operated until World War II. This Industrial Peace Board was very helpful.

So in April 1945, with the war coming to an end, Vice Mayor Michael DiSalle suggested the city face its new problems of industrial living. Realizing conversion problems would bring on new disputes, he suggested that eighteen leaders of labor, management and the public meet to consider them.

The result was the unanimous adoption of a set of principles to guide employer and employee in trying to live together. A further result was the formation of a permanent committee to implement the

policies of mediation. The theme of this LMC charter, to which unions and companies in Toledo assented, is contained in the preamble:

"Industrial harmony is necessary to the welfare of Toledo. Industrial harmony means more than the elimination of strikes, slowdowns and lockouts. It means a practical, common-sense recognition of the rights of both employers and employees, the mutuality of their interests and the importance of their joint responsibility to the citizens as a whole, whose interests transcend the presumed rights of any group.

"To seek jointly successful patterns of democratic economic living and to achieve self-government in industry, and to provide a means of minimizing and reducing the possibility of loss of production and wages, this industrial relations charter has been drafted and is recommended for consideration and adoption by representatives of industry and labor in the city of Toledo."

Management acknowledged the right of employees to form labor organizations and bargain collectively. Labor acknowledged the inherent right of management to direct the operations of the enterprise. Both agreed there should be no discrimination because of race, creed or color.

A significant principle has joint agreement that "improvements in productive efficiency and technological advances result in lower costs and selling prices and wider markets for the products of industry, thereby making possible higher wages, a rising standard of living and increasing

employment." Industry and labor agreed differences will arise from time to time and decided to retain LMC as a permanent agency to offer mediation, fact-finding and arbitration facilities. They also agreed to promote educational programs designed for better mutual understanding, especially at the workshop level.

LMC now has thirty regular and eighteen associate members. They are top-ranking union and company officers and leading representatives of the clergy, the judiciary and education.

How Committee Works

Here is how the plan works.

First of all, the Labor-Management-Citizens Committee is a purely voluntary agency. It has no powers of compulsion. Its services can be accepted or refused. It carries only the powers of persuasion and the force of public opinion. The city government authorized it, finances it to the tune of under \$16,000 annually. New members of the committee are appointed by the mayor from nominees tendered respectively by labor, management and public members.

Mediation of disputes remains the greatest activity of the LMC. Initially such disputes come to the executive director, the full-time administrative officer. He is hired by the committee and is wholly under committee direction.

The director has two choices. In most cases he attempts to mediate disputes without calling upon a citizens panel. Failing to reach a settlement he will call upon a three-man

panel for help. If he determines the case of sufficient importance, he asks the chairman to name a panel immediately. Such panels are formed only from the committee's regular membership. A representative panel might include Appeals Court Judge A. L. Conn from the public; William F. Sturm, regional AFL director, from labor; and Royce G. Martin, Electric Auto-Lite president, from management.

Initially the panel receives a brief from the director. He cites the issues, weighs their importance and gives a brief analysis of the aspects of the case. When the mediation hearing convenes it is quite informal. Both parties present their issues plus supporting data to sustain their positions. They may question each other freely. Panel members and the director will interpose questions.

Sometimes the parties are separated, especially where tension between them is considerable. The labor panel member meets with labor and his management counterpart with the employer. They seek to find the parties' actual firm positions, to weed out mere "trading" items. They advise them as to the realities of compromise. When the panel meets privately the situation is thoroughly canvassed. In the light of each specific situation the panel seeks a logical solution.

Efforts are made to ease emotions and temper, to guide thinking of both parties toward a settlement without stoppage of work. When panel members unanimously agree on a suggested settlement and find the parties receptive to such recom-

mendations, they may tender compromise suggestions.

As former Congressman Thomas Burke once told a network radio audience, "They get the disputing parties together, start them talking and keep them talking until they get a settlement."

In most instances such mediation settles disputes. Where a panel fails of settlement the parties are free to utilize economic powers. LMC will still attempt settlement. Sometimes the panel membership is doubled to bring in new points of view and persuasive abilities. In rare cases affecting the community welfare the matter will be referred to the full LMC membership for emergency action. But throughout the entire process only the methods of voluntary persuasion are used.

Use of Arbitration

Sometimes arbitration is suggested. Where both parties desire a binding decision, LMC will help draw up an arbitration agreement, will consent to name the arbitrator if the parties cannot agree. From that point it passes into the hands of the impartial umpire named. Experience has taught us that mediation panels cannot go beyond fact-finding and remain effective. Arbitration becomes a judicial process better served by another arbiter than the men who have sought the voluntary solution of mediation.

In its educational program, the committee has sponsored several workshop forums on pertinent industrial subjects. A subcommittee is now planning a new series of seminars in conjunction with the Univer-

sity of Toledo. However, the mediation of disputes and the exchange of problems and views on their solution at regular quarterly meetings remain the prime goal of the committee.

Since its formation, LMC has handled 560 dispute cases. Time spent on each ranges from an afternoon to as much as a dozen day-long, and sometimes night-long, sessions.

With a membership of 48 persons available for panel duty, assignments are rotated if possible. Once assigned to a panel, however, every member devotes the time necessary to the task, no matter how demanding. After one week-long meeting, which concluded late on Friday night, an industry member remarked: "Now I can find out just what's going on in my own plant over the weekend."

In 1944 Toledo was listed by the Bureau of Labor Statistics as fourth city in the nation for industrial trouble. In 1949 it dropped to 44th place. Last year it was 35th.

The LMC has not solved all its problems. It doesn't expect to lick the thing entirely, but it has minimized the impact of industrial strife in Toledo. It hopes to improve as time goes on.

The best illustration one can cite comes from a story of the problems of the south. In his book, *The Shore Dimly Seen*, Governor Ellis Arnall of Georgia remarked: "It requires some vision, some willingness to admit and correct mistakes, some forbearance, some time and much work. *But it can be done.*" What Governor Arnall has said of his native south, can be applied equally to Toledo.

Human relations is a difficult field. Perfection cannot be obtained. It's

a far-away goal worth striving for, however. For in the striving for perfection much practical good can be accomplished.

Just a parting word in the light of experience. Tripartite community mediation agencies are valuable facets of community effort. But don't expect a cure-all for all industrial troubles. Such a panacea just doesn't exist yet and isn't likely this side of Utopia.

REORGANIZATION IN ILLINOIS

(Continued from page 506)

4. The setting for the report, with the organizational pattern established by the 1917 reorganization. Because of the previous study, the state government was not in such serious need of reorganization in 1951. Consequently, it was not necessary for the commission to make large numbers of far reaching recommendations, but rather the members were able to concentrate more on the performance of state services and certain relatively minor aspects of the state government.

5. Having a research staff composed mainly of state employees working under the director of research for the Illinois Legislative Council, in whom the members had confidence. The charge that the study was dominated by "outsiders," unfamiliar with the state's problems, could not be made.

6. The presence of a friendly administration, which cooperated to the highest degree with the commission during its research, aided by the fact that the commission's chairman was a former administrative assistant to the governor.

News in Review

City, State and Nation . . .

Edited by H. M. Olmsted

Maryland Commission Makes Final Report

Proposes Many Changes in Administrative Organization

THE Maryland Commission on Administrative Organization of the State, appointed by Governor Theodore E. McKeldin on March 3, 1951, rendered its twelfth and final report to Governor McKeldin and the state legislature on September 6, 1953. The commission was headed by Simon E. Sobeloff until his appointment as chief judge of the Court of Appeals in December 1952, when he was succeeded by Enos S. Stockbridge as chairman. There are ten other members.

During the two and one-half years since its establishment, the commission submitted eleven reports dealing with certain administrative functions and agencies, with recommendations. The final report briefly reviews these and also discusses various other state activities and problems which it had studied but not reported on. The commission feels it has now served its purpose and that further studies should be undertaken by others.

The reports previously rendered are briefly commented on below:

1. *Budget System.* This report recommended a modernization of the state's budgetary system, requiring a constitutional amendment which was duly approved at the general election in 1952. The recommended system, which has been substantially adopted, includes a comprehensive budget presented by the governor with a budget message and covering all estimated state income and expenditures and a capital budget; a "program" type of budget, with a system

of administrative controls; and a rigid restriction of the use of supplemental budgets.

The report also urged improved accounting methods, with emphasis on centralized payroll accounting which, together with improved purchasing techniques and inventory controls, has been adopted. A recommendation to eliminate almost all special funds has not yet been followed, nor a proposal that the Department of Legislative Reference, including the Fiscal Research Bureau, be placed under the legislature.

2. *Local Legislation.* A study of the growing volume of local matters considered by the legislature resulted in recommendations of two constitutional amendments, one to prohibit special legislation as to counties and to improve the method of charter adoption by counties; the other to permit adoption of municipal charters (subject to veto by the county commissioners if a new municipality is created) in such form and with such powers as the legislature prescribes for various classifications of municipalities. No action has resulted on the first proposed amendment. The second, with minor changes, has passed the lower house of the legislature.

3. *State-local Fiscal Relations.* The commission recommended the reservation of certain areas of taxation for the state and others for local bodies, the latter to impose and collect their own taxes, rather than the state. No action has resulted. As to a 1953 bill proposing a constitutional amendment prohibiting the taxation of real property by the state, the commission recommended adversely. The bill did not pass. It was also recommended that no community should share in state taxes unless it raised at least one dollar of local revenue per capita.

This proposal was adopted this year. The commission suggested that the Fiscal Research Bureau study the question of the proper local revenue requirement.

4. *Highway Relationships.* Recommended legislation for better coordination between agencies and a more complete integration of highways, and for coordinated long-range planning of highways, has not been adopted. Thorough review, revision, clarification and modernization of the highway statutes was urged.

5. *Industrial Relations and Safety.* An administrator of employment security, not a member of the Employment Security Board, has been appointed in line with recommendation of the commission; but other proposals to centralize matters of industrial relations and safety and to improve their administration have not been adopted.

6. *Health and Welfare.* Various recommendations for better distribution of health and welfare responsibilities between the state and local governments, for clearer separation of policy-making, administrative and quasi-judicial functions in the health and welfare departments, and for other improvements in organization, were submitted. One result this year is the appointment of a commission to study the allocation of the financial burdens of public health service; another is legislation clarifying the functions of the Board of Public Welfare and the welfare director.

7. *Regulatory Administration.* Centralization of administrative functions of 23 independent licensing boards is recommended, as well as merging the duties of the administrator of loan laws and the bank commissioner. The commission submitted a draft of an administrative procedures act, patterned after a model act of the American Bar Association, and urges its adoption.

8. *Public Works Administration.* Closer cooperation between the Depart-

ment of Public Improvements, State Planning Commission and Department of Budget and Procurement was recommended and has been largely effected. Legislation to relieve the Board of Public Works, composed of the governor, comptroller and treasurer, from having to pass on thousands of minor items was prepared but did not pass. Certain requirements as to construction loans and closer supervision of design and construction were adopted.

9. *Personnel Administration.* Most recommendations did not require legislation and several have been made effective. An effort to enlarge the staff of the employment commissioner failed. Certain minor legislative proposals, including one revamping the Standard Salary Board, were successful.

10. *Correction and Parole.* Separation of policy-making and administrative functions of the Board of Correction and the superintendent of prisons was proposed and accomplished. Various recommendations for improvement in administrative structure and functioning of the Parole Department were adopted.

11. *Juvenile Delinquency.* Clarification of the status of the four state training schools for juvenile delinquents, under the Department of Welfare, was brought about by recommended legislation. A study of the delinquency problem was urged and has been undertaken by a committee of the Commission on Judicial Administration.

The final report states that studies involving conservation administration, metropolitan districts and general fiscal management have been made but not concluded. In the matters of centralizing departments and bureaus, and of boards versus single heads, the commission believes in moving cautiously and experimentally. It presents as an ultimate goal the bringing of all administrative agencies and executive officers under the governor,

with simplification of organizational structure to facilitate his supervision of the functions of the state.

Arizona Restricts Population Representation

In a special election on September 29, in which approximately 20 per cent of the registered electorate participated, Arizona voters endorsed a constitutional initiative which limits the size of the lower house of the legislature to 80 members and raises the size of the upper house from 19 to 28 by allotting two senators to each of the fourteen counties of the state. Under the former method of senatorial apportionment, five counties had two senators each and nine one each.

The amendment is scheduled to become effective with the election of members of the legislature in 1954. There is some possibility, however, that a case may be filed in the State Supreme Court in which the constitutionality of the amendment is challenged on the ground that it denied the voters the privilege of passing upon separate propositions dealing with the membership of the two houses.

Under the new plan, each county as such will be entitled to one representative in the lower house, as well as one additional representative for every 3,520 votes cast within the county at the last preceding general election. If on the basis of the foregoing quota the total number of representatives threatens to go beyond the limit of 80, "the unit of apportionment shall be increased by ten or such multiple of ten as will reduce the number . . . to 80."

Voter approval was also won for an amendment which removed a constitutional provision preventing justices of the peace and superior court clerks from benefiting from a salary increase authorized about eighteen months ago by the legislature.

Two proposed amendments failed of ratification. One would have eliminated

the elective office of state superintendent of public instruction and changed the composition of the present State Board of Education, all of whose members with the exception of the governor are professional educators. Ratification of the amendment would have made effective a law passed by the last session of the legislature which provided for an appointive lay board of public schools whose duties would have included appointment of the superintendent of public instruction.

The other rejected proposal was advertised as a measure designed to permit more equitable state aid for the poor school districts by providing for the apportionment of state school funds among the various counties "in such manner as may be prescribed by law" instead of "in proportion to the number of school age residing therein."

PAUL KELSO

University of Arizona

Federal-state-local Problems Studied

Two federal commissions are now at work on studies involving fiscal and other relationships between federal, state and local governments.

President Eisenhower recently appointed fifteen members of the Commission on Intergovernmental Relations, including the chairman, Clarence E. Manion, dean of the Notre Dame University Law School. Five senators and five representatives had previously been designated as the congressional members.¹ It will investigate the problem of overlapping federal and state functions and expenditures, including 30 grants-in-aid programs involving two billions of dollars annually. Its final report to Congress is due not later than March 1, 1954.

The other group is the new "Hoover Commission"—the Commission on Organization of the Executive Branch of the

¹See also p. 527, this issue.

Government, constituted of twelve members and headed, like its predecessor, by ex-President Hoover. It includes two senators and two representatives. Four members besides Mr. Hoover were on the former commission, which proposed many organizational changes, most of which were adopted. The new group has the added responsibility of examining federal functions with the view of judging whether they should be left to the state or local government or to private industry.

Chairman Hoover has established eight task-force studies: water and power resources, personnel practices, lending agencies, accounting and budgeting, independent offices and agencies, medical services, subsistence service of the armed forces and federal institutions, and surplus property use and disposal. Following interim reports, comprehensive study results are to be submitted to Congress by December 31, 1954, and a final report by May 31, 1955.

In the state field, New York's Temporary Commission on Fiscal Affairs of the State Government includes in its scope the question of overlapping federal, state and local taxes, as well as a state financial analysis. It is headed by Dr. Frederick L. Bird.²

Rhode Island Court Blocks Home Rule Elections

Pawtucket and Central Falls, Rhode Island, were prevented from holding the nonpartisan local elections specified for this fall by the home rule charters adopted in those cities by a State Supreme Court decision on October 2. The court ruled that although the 1951 home rule amendment to the Rhode Island constitution was intended to give the people of cities and towns "the right of self-government in all local matters," this did

not include the right to regulate local elections, inasmuch as a separate constitutional provision states, "The general assembly shall have full power to prescribe the manner of conducting the elections."

This decision may leave Pawtucket and Central Falls without legally constituted governments after January 4, 1954, since both cities' charters, under sections that have not been challenged, provide that the terms of office of all elected and appointed officials shall terminate on that date. Opponents of home rule contend, however, that the incumbent officials will hold over until the next general election in November 1954.

The *Providence Journal* stated on October 4: "It is utterly inexcusable that the prospect of such a chaotic situation has been allowed to arise. It would not have arisen if the general assembly at its special session last June had validated the election provisions of the Pawtucket and Central Falls charters, as it did those of the Newport and Woonsocket charters. There remains now only one clear remedy. It is for the assembly to come back into special session quickly and to adopt the validating legislation that it permitted a handful of brass-knuckled politicians to beat to death four months ago."

Connecticut Assists with Local Merit Systems

Under new Connecticut legislation cities, towns and other political subdivisions may enter into agreements with the state personnel director to obtain technical services in establishing or administering local merit systems. They reimburse the state for the actual cost of the service, plus overhead, but at considerably less expense than for a fully staffed personnel department or the employment of consulting firms. The legislation was sponsored by the Connecticut Merit System Association.

²See the REVIEW, September 1953, page 377.

The Civil Service Assembly of the United States and Canada states that similar arrangements have been in effect in New York, Massachusetts, Illinois and California for several years.

Council-manager Plan Developments

Voters of BELLE GLADE, FLORIDA, (1950 population 7,219) on September 15 adopted a charter amendment providing the council-manager plan, which went into effect the next day. The vote was 235 to 160.

OPALOCKA, FLORIDA, (5,271) voted 251 to 104 on July 27 to adopt a council-manager charter. It goes into effect March 2, 1954.

On October 6 SEWARD (2,114) and KODIAK (1,710), both in ALASKA, adopted council-manager ordinances under the provisions of territorial law. The plan will go into effect as soon as city managers can be secured. The vote in Seward was 402 to 104; that in Kodiak, 113 to 105.

Mayor R. L. Marcotte of LEWISTON, MAINE, upon taking office for a second term, advocated appointment of a trained and experienced administrator or manager.

SHREWSBURY, MASSACHUSETTS, will vote November 3 on adoption of the town manager plan and the representative form of town government.

In BROCKTON, MASSACHUSETTS, a petition for an election on the question of adopting the council-manager form of government has been rejected as not having enough valid signatures.

Since the PEEKSKILL, NEW YORK, common council failed to act on the request of the Kiwanis Club for a referendum on adopting the manager plan, the club decided on September 24 to circulate a petition to compel the referendum if enough signers are obtained.

Three aldermen in NORTH TONAWANDA, NEW YORK, have been designated by

the chairman of the common council as members of a committee to study the manager plan and report their findings to the council.

In OSSINING, NEW YORK, Mayor J. A. Collyn, Jr., has announced that he will appoint a committee to study the manager plan. The village board had asked Corporation Counsel U. N. Marino to investigate legal aspects of the plan, as provided in the village law of New York State. He recommended that a complete study of the manager plan be made with the thought that if the statutory plan is not suitable for Ossining a revised plan could be adopted by local law, as provided by a 1953 amendment to the village law. Mr. Marino pointed out that a referendum is required for adoption either of the statutory plan or of a local law for a revised plan, if the latter changes the powers of any elective officer or makes other specified changes in regard to the village government.

The township council of TEANECK, NEW JERSEY, issued in September an attractive eight-page report on progress under council-manager government, with special attention to the first half of 1953. All citizens were invited to an "open house" at all municipal buildings on September 26.

The charter commission of the township of BRIDGEWATER, NEW JERSEY, has recommended adoption of one of the state's optional council-manager plan laws. This will be voted upon in the November general election. At the request of the Citizens for the Bridgewater Council-manager Plan, the commission prepared a leaflet outlining the plan and its advantages.

In SAVANNAH, GEORGIA, a Citizens Committee has been formed as a political organization committed to the council-manager plan, with a change in local government to be submitted at the 1954 election.

In CARROLLTON, GEORGIA, Ebb Duncan,

senior representative of Carroll County, favored employment of a city manager in a talk before the Lions Club.

Bills authorizing council-manager government for the cities of BIRMINGHAM and ANNISTON, ALABAMA, have been passed by the state legislature. Local adoption would be by referendum election. One is expected to be held in Anniston in December.

A petition for an election for adoption of the council-manager plan has been filed in HENDERSON, KENTUCKY.

The ILLINOIS City Manager Enabling Act was amended in 1953, the chief change being as to the size of the city council in cities of different populations. The original act provided for a council of five for all cities except Peoria, for which special provision was made for a council of nine. The amended act provides for a council of five for cities under 50,000, seven for the 50,000-99,999 group, and nine for the 100,000-500,000 group. Villages retain their present council of seven. The amendments also contain more detailed provisions for shifting from the old to the new form, and clarify the status and powers of certain officers under the new form.

In ELGIN, ILLINOIS, an educational campaign has been conducted in preparation for a November vote on the question of adopting the council-manager plan. The campaign has been largely carried on by the Educational Committee on City Government, a subcommittee of the Committee for a Better Elgin. The mayor and city council oppose the manager plan.

A movement for merger of the adjacent cities of CHAMPAIGN and URBANA, ILLINOIS, is in progress. One announced purpose is to enable the combined community to engage a better manager, upon adoption of a council-manager charter, than either city could obtain at present.

KEOKUK, IOWA, voted against a proposed manager plan, 3,193 to 1,869, on October 1.

Voters of VINTON, IOWA, turned down a proposal to adopt the council-manager plan, 3,193 to 1,869.

A thirteen-member board of freeholders (charter commission) in WEBSTER GROVES, MISSOURI, has unanimously agreed to follow the council-manager plan, after study and the taking of testimony given by many witnesses.

The JOPLIN, MISSOURI, charter commission decided unanimously on September 14 to embody the council-manager form in the charter it was preparing to draft. The decision was made after a number of public hearings. Joplin now has the commission form.

In BELLE FOURCHE, SOUTH DAKOTA, the council-manager plan was advocated by the mayor and an alderman in talks before the chamber of commerce.

PARIS, TEXAS, voted 1,768 to 1,448 to retain the manager plan on September 26. The plan was adopted in 1948.

In MESQUITE, TEXAS, the Chamber of Commerce has prepared and distributed a pamphlet on "Pros and Cons" of the manager plan.

In TRACY, CALIFORNIA, the council-manager idea has been approved by three councilmen and opposed by one. Mayor Irvin Jensen stated he would take no position on the matter until the people have spoken.

Administrator under Mayor Proposed for New York City

A city administrator appointed by and responsible to the mayor was the first of four preliminary proposals in an interim report of the Temporary State Commission to Study the Organization of the Government of the City of New York.¹ Five members of this group were appointed by Governor Thomas E. Dewey and four by legislative leaders in June. It is headed by Devereux C. Josephs. Al-

(Continued on page 521)

¹See the REVIEW, July 1953, page 344.

Philadelphia Abolishes Some County Offices

Legislation Retains Certain Officials on Elective Basis

ANOTHER step has been taken by the Pennsylvania legislature and the city council of Philadelphia in the painful process of consolidating the city and county of Philadelphia. Action to test the constitutionality of that step, however, is now before the courts.

As originally introduced in the 1953 session of the legislature, the bill which became Act No. 433 gave city council the right, without vote of the people, to regulate former county offices, to key them into the scheme of the city government under the home rule charter, and to convert elected into appointed officers as it saw fit. The State Supreme Court had exempted the prothonotary and register of wills from the constitutional amendment for city-county consolidation and from the new charter.¹ The only other exception was that the bill provided that the district attorney must be elected.

An amendment to the bill took away council's power to deal with the sheriff, the three county commissioners, the board of revision of taxes (assessors) and the registration commission. It not only withheld power to reorganize these offices but also pulled them out of the charter's civil service system, where the Supreme Court said they had been put by the city-county consolidation amendment.

Council in October passed an ordinance using some of the power given by Act 433. The coroner, coroner's jury and coroner's inquest are abolished. The function of determining the cause of death goes to the health department; other functions of the coroner go to other de-

partments. Functions of the recorder of deeds go to the department of records. The city treasurer will be a subordinate of the director of finance and the county prisons will go to the welfare department. The coroner, treasurer and recorder of deeds, previously elected, will go off the elective list. The ordinance fails to take full advantage of council's power since it keeps the clerk of quarter sessions on the elective list.

The city solicitor contends that the amendment to the bill which became Act 433 is invalid and that the act must be given effect as the bill read originally. Three court actions have been started to test the constitutionality of the amendment. If the city solicitor's position is sustained in the courts, the plan is for council to reorganize the four exempt offices later. If the amendment is valid, consolidation stops where it is for the present. If the whole act is invalid, as seems possible, the ordinance recently passed will fall.

It should be noted that even if council gets power over the four exempt offices, the plan is to keep the sheriff and an election board of three on the elective list. The number of officers still to be elected in Philadelphia is disappointing to many proponents of consolidation.

A state legislative bill to force the city council to place on the May 19 primary ballot proposed changes in the city's charter failed. The proposal would have exempted six former county officers from the provisions of the charter, allowing their employees to become politically active.

CLARENCE G. SHENTON

Philadelphia Evening Bulletin

Wisconsin County Boards Discuss the State's Economy

At their annual convention in October members of Wisconsin county boards of supervisors participated in an institute on

¹See the REVIEW, May 1953, page 241.

"Wisconsin's Economy—Where Is It Heading?" The institute, planned by the University of Wisconsin's Bureau of Government, was centered on discussions of developments in manufacturing and in agriculture.

Professor Roy J. Colbert, director of the Bureau of Community Development at the university, suggested that each county board ought to create a committee "to do for the industrial development of the county what the agricultural committees are doing—and doing so well—for agricultural development." He argued that the county needs to become more industrial-minded since most of our population must now seek its living in occupations other than agriculture and there is an increasing trend in the movement of industry to smaller communities.

Other participants pointed to ways by which county governments could aid the growth of industrial development. County board chairmen from the more industrialized counties pointed to the importance of effective zoning laws and to the value of an active planning agency. The tenor of the meeting was to the effect that the county has an important role in industrial development.

LLOYD WOODRUFF

University of Wisconsin

Florida Interested in County Reorganization

County reorganization interest continues at a high level in Florida despite numerous setbacks. The Dade County Research Foundation has been issuing a series of *Newsletters* with the objective of continuing its fight for a single metropolitan government in the Miami-Dade County area. The merger of Toronto and its surrounding municipalities, city-county federation in Baton Rouge, and metropolitan problems and their proposed solutions in Indianapolis, Cincinnati and Atlanta have been the subjects of recent releases.

In the words of the Dade County Research Foundation, "The consolidation issue is still with us and will remain with us until we work out a sound businesslike solution to the problem." The plan proposed by the foundation includes the setting up of a citizen commission of fifteen members to tackle the consolidation problem. The need for technical consultants of the highest competence to conduct a survey of existing governments and to assist the commission in formulating a sound reorganization plan has been stressed.

Professor J. E. Dovell, of the University of Florida, recently reviewed county reorganization and its relationship to the Florida constitution in an issue of *Economic Leaflets* published by the university. The author sketches briefly the history of county government in Florida, some of the contemporary problems facing it and the manner in which constitutional provisions limit the effectiveness of county government.

He reviews the practices of other states in setting up alternative plans of county government and the development of the county charter and county manager movements in the United States. He concludes, "The election of county commissioners, the local legislators who represent the people, is essential to democracy. But even the best informed voter is unable to investigate and evaluate the multitude of candidates for the administrative positions which require the technical functions of school direction, law enforcement, surveying or property assessment and tax collection.

"The present system of county government in Florida is a heritage of the many centuries when the county officers were mainly occupied as the conservators of the peace. . . . Florida's county officials earnestly seek to make the old system work and they deserve far more credit than ever inures to them. The Florida constitution might well be revised to permit the

adoption of both alternate and home rule plans of reorganized county government. If this were done, there is no reason why Florida counties should not be authorized to adopt the county manager plan. . . .

"If local self-government is to be retained, there must be rapid improvement in the field of county government, otherwise the spreading state centralization will assume the work of the county by demand of the general citizenry. But before the Florida county government can be improved, the existing constitutional limitations must be removed."

City-county Cooperation in Georgia and North Carolina

Savannah and Chatham County, Georgia, have established a traffic commission to meet the very real challenge of ever-increasing traffic congestion. The commission has employed a traffic engineer on a full-time basis to study traffic problems and to devise remedial measures.

A report on city-county cooperation in North Carolina is contained in the September 1953 issue of *Popular Government* (Institute of Government, University of North Carolina). For example, Durham County and the city of Durham jointly finance two libraries, a juvenile court and a health department. Mecklenburg County and the city of Charlotte finance the domestic relations court, the weights and measures office and the full-time office of the elections board. In Forsythe County and Winston-Salem a joint city-county tax collection office and planning department are to be found and Guilford County makes appropriations to the two Greensboro city libraries.

Highway Administration an Important County Function

County highways are one of the two most important functions of county government and as such are in the very

heart of county politics and administration. According to *Better Roads* for September 1953, considerable progress has been made in a number of counties and states toward more effective management in county highway departments. The magazine's most recent reports indicate that such practical management procedures as installation of two-way radios, adoption of programs of long range planning and operation by county unit rather than rural districts have revolutionized county highway practices in the last decade or two.

In the same issue is an article analyzing state-county road relations in Wisconsin. The county governments maintain some trunk lines in that state and they also have a veto power in the extension of trunk highway improvements. Because of the great importance of counties in the Wisconsin highway picture the State Highway Commission has made efforts to improve administration, personnel and equipment of the county highway departments.

Texas Counties Study Increasing Functions

Recent developments in Texas indicate that counties are feeling the impact of increasing county government functions on their policy-making and administrative organization and procedures. In the September issue of *County Progress* (publication of the County Judges and Commissioners Association of Texas) it is reported that counties are concerned with smog control, civil defense programs, county parks and county water systems. In addition, some counties are proceeding to eliminate the fee system for those few offices that still retain it.

The impact of these increases in activity on the structure of county government is illustrated by the program for the North and East Texas Judges and Commissioners Association, held in September.

Among the questions slated for round table discussion were these:

1. How do your court (legislative body) and your county auditor cooperate, and why?

2. What is your experience in use of county engineer or state licensed engineer?

3. What about adequate salaries for appointive officers and deputy officials?

4. What about your county hospital, or city-county hospital, as to taxes?

5. What about the budget for agricultural department; any pressure from A&M College?

6. Have you adopted salaries for minor officials other than constables?

Most of the major issues of modern management are implicit or explicit in this sampling of questions discussed.

Michigan Townships Want to Retain Status Quo

Certain township officials in Michigan, particularly justices of the peace, have formed a new organization, the Michigan Township Association, with the objective of opposing any decrease in township functions. The creation of the organization has been stimulated in part by recent proposals to transfer assessing functions from the townships to the county.

For many years another organization, the Michigan Institute of Local Government, has defended township and county government against outside criticism. The institute is made up primarily of county officials, including county supervisors who are elected from the townships. In recent meetings of the institute, including various in-service training programs it sponsors, comment has run high that more vigorous defense of the status quo in county and township government should be made.

CITY, STATE AND NATION

(Continued from page 517)

though ostensibly established to study the council-manager plan as a possible means of improving the city's government, the committee announced its decision to recommend a mayor-administrator plan before scheduling public hearings.

The report specified that the administrator would have professional managerial qualifications and would serve at the mayor's pleasure, at a salary of \$35,000, or seven-eighths of the mayor's. He would furnish "information and advice, carefully formulated solutions to complex problems, managerial controls over operations and objective reports on each agency's performance." He would also be expected to direct, coordinate and supervise most of the administrative departments, but various agencies would remain directly under the mayor.

The second recommendation was for a deputy mayor authorized to represent the mayor at meetings of the Board of Estimate—the prime governing body of the city—and in various other official and ceremonial capacities.

A performance type budget with a clear and comprehensive financial plan would be substituted for the present line-item budget.

A department of personnel, headed by a director, would be established. The mayor would be responsible for the personnel system and the city administrator would supervise its operations, the civil service commission to be a rule-making, appellate and investigating body.

A minority report by two Democratic legislators called the recommendations premature and without adequate basis and assailed the committee's functions as an invasion of home rule.

Revere's P. R. Repeal Declared Invalid

Will Use Hare System for November Elections

DESPITE a November 1952 referendum in Revere, Massachusetts, against continuing the use of proportional representation, that city will elect its city and school committee by the Hare system this November. A ruling of the Massachusetts Superior Court of Suffolk County found the referendum void for lack of compliance with the law's provisions specifying procedure and notice in advance of the holding of such a referendum. The vote had favored repeal by a substantial margin.

The ruling resulted from the action of thirteen voters who filed suit to obtain an official declaration of the lack of compliance with the referendum laws and the consequent invalidity of the referendum. A counter-action was brought by one of the candidates for office. The two actions were heard separately by Judge Francis J. Good, who sustained the contentions of the thirteen voters and dismissed the petition of the candidate. An appeal is pending in the latter case.

The possibility of a similar question arising in Quincy was noted on August 31 by the *Quincy Patriot-Ledger* but, as the question was raised too late to affect this year's election, no court action was seriously considered there.

Worcester Repeal Effort Fails to Make Ballot

The attempt to place a P. R. repeal referendum on the ballot in Worcester this year failed when the petitions were found to be 356 names short of the required number of valid signatures. More

than 2,000 of the 7,310 names on the petitions did not correspond sufficiently to names on the voting lists. In view of the fact that the names of only 5,423 of the 108,460 registered voters were required, the collapse of the referendum drive was taken as a sign of popular approval of P. R.

"Worcester voters are satisfied with P. R. There would have been no point in holding a repeal referendum this year," proclaimed the *Worcester Gazette*.

Reviewing the background of the petitions, the *Worcester Telegram* remarked editorially:

"In April 1952, the Massachusetts legislature, in a drive against Plan E, passed a law under which the required per cent of voters necessary to put the question of repeal of P. R. on the ballot was reduced from ten to five. But even with this aid, the opponents of P. R. could make no progress. They failed in a half-hearted effort a year ago, and they have failed again in a more determined campaign."

Both newspapers printed a number of letters from private citizens setting forth views on P. R., indicating a good deal of interest occasioned by the proposed referendum. One rather unusual testimonial, signed "G.E.C.," was printed in the *Gazette* on September 2:

"Under the old system, the ward politician, operating within a narrow ward, could easily outstrip candidates of character and standing. In a city-wide contest, in a 'majority' of cases, this is not possible. Has Plan E P. R. given us a good council? Yes, it has. And this comes from a former councilman and ward politician who was defeated and permanently retired from politics due to P. R. voting. I bowed out for the good of the city. I don't think P. R. is going to bow out."

Adenauer Scores Victory in German Elections

The German Bundestag elections of September 7 were held under the postwar German modification of P. R., based on district majority elections followed by a distribution of additional seats to make the total results approach proportionality.¹ By virtue of these elections, Konrad Adenauer became the first chancellor in German history to have his party elected to power with an absolute parliamentary majority. Although this was accomplished with a little less than a majority of the popular vote, the poll of his Christian Democratic party stands as the greatest concentration of votes for a single party in any openly contested German national election. Neither Hitler's party nor Bismarck's ever received such a degree of approval, nor did the Social Democrats at their peak of strength under the Weimar constitution.

Chancellor Adenauer's victory (his prominent part in the campaign made it a personal as well as a party tri-

umph) was greater than his own party's success, for two parties that had backed his rule came through with substantial votes and a third minor party, with a few seats, declared itself unequivocally for his leadership. All told, he is the acknowledged leader of 63.7 per cent of the Bundestag's membership, which in turn represent 58.6 per cent of those who voted. "The strongest mandate of any political leader in Europe," was the comment of the *New York Times*, reviewing the week's events the following Sunday.

The leading opposition party, the Social Democrats, showed an increase over 1949, but it evidently failed to win as many of the 5,000,000 new voters as Chancellor Adenauer's party — 28.8 per cent of the ballots and 30.8 per cent of the seats went to Social Democratic candidates. This group was relatively unsuccessful with its district candidacies, even in many urban districts where it had a majority in 1949. It won only 45 district contests as against 172 won by Christian Democrats. The P. R. element of the electoral system was responsible for preserving a substantial parliamentary voice for the eclipsed opposition.

¹For a description of the German electoral system, see the REVIEW, October 1949, page 460.

WEST GERMAN FEDERAL REPUBLIC
Election of Bundestag, September 7, 1953

<i>Party</i>	<i>Votes</i>	<i>Percentage of Votes</i>	<i>Seats</i>	<i>Percentage of Seats</i>
Christian Democratic	12,440,799	45.2 (+14.2)	244	50.1 (+15.0)
Social Democratic	7,939,774	28.8 (— 0.4)	150	30.8 (— 3.0)
Free Democratic	2,628,146	9.3 (— 2.6)	48	9.9 (— 3.3)
Refugee Association	1,614,474	5.9 ^a	27	5.5
German	897,952	3.3 (— 0.7)	15	3.1 (— 1.1)
Communist	607,413	2.2 (— 3.5)	0	0 (— 3.7)
Bavarian	465,522	1.7 (— 3.5)	0	0 (— 4.2)
All-German People's	318,323	1.2 ^a	0	0
German Reich	295,615	1.1 ^a	0	0
Center	217,342	0.8 (— 2.3)	3	0.6 (— 1.9)
Others	115,665	0.4 (— 9.0)	0	0 (— 3.2)

^aThese groups did not participate in the 1949 election. The parenthetical figures given for the other parties indicate the change in percentage standing over 1949. The change in seats is shown in the percentage column to facilitate comparison, because the size of the Bundestag was increased between elections from 402 to 487 members.

Two parties represented in the previous Bundestag, the Communist and the Bavarian, fell below the 5 per cent of popular vote required for participation in the P. R. stage of the election and are now unrepresented since they won no district seats. Three new parties contested the election. Two extremist groups, one "neutralist" and one neo-Nazi, made a poor showing and obtained no seats. The Refugee Association, however, cast almost 6 per cent of the vote and obtained a score of seats. This delegation plans to cooperate with Chancellor Adenauer, who will now be in position to wield the two-thirds majority needed for constitutional revision, should he find such a measure desirable.

Of the 33,390,978 eligible voters, 85 per cent went to the polls, but of these 3.2 per cent either cast no ballot for the proportional representation part of the election or cast an invalid ballot. The results of the election are given in full in the accompanying table.

William Hoag, P. R. Pioneer

William Hoag, one of the most important figures in the early P. R. movement in the United States and a staunch advocate of the reform to the end of his days, died in Reading, Massachusetts, in August, in his 83rd year.

Mr. Hoag, a Boston lawyer, had first-hand experience with representative institutions and their virtues and shortcomings as a member of the House of Representatives in the Massachusetts legislature. He served as secretary of the American Proportional Representation League without compensation from 1909 to 1911, succeeding Robert Tyson of Toronto. He favored the Hare system as opposed to rival P. R. plans and initiated the policy, which the League has followed since, of concentrating on

the adoption of P. R. for city councils so as to get actual demonstrations of its merits.

In 1912, he passed on the torch to his younger brother, Clarence Gilbert Hoag, who carried on with notable results until the consolidation of the P. R. League and the National Municipal League in 1932. William Hoag continued active in the movement and was a member of the P. R. League's Advisory Council from 1914 until the time of his death.

C. G. Hoag, still honorary secretary of the P. R. League and looked up to by all proportionalists as the one most responsible for the spread of P. R. in the United States, writes about his brother as follows:

"He first learned of P. R. at the Proportional Representation Congress held as part of an intellectual congress at the Chicago World's Fair in 1893. From that time on he was fully convinced of its importance in the election of representative bodies, and he did what a busy lawyer could to introduce it to others. In 1912, when I too had become an enthusiastic advocate of P. R., chiefly from the little quarterly *Equity*, we were two of the little group of five that met at my summer home in Tamworth, New Hampshire, to issue a manifesto to the two or three dozen members of the American Proportional Representation League and offer my services as unpaid, full-time secretary-treasurer. . . .

"One idea in connection with P. R.—a very sound one in my opinion—emphasized more by William Hoag than by anyone else in the country was that one chief secret of good city government is making the representative body, the council, responsible for selecting and, if necessary, changing the chief executive. Of course, that is the essence of our council-manager plan."

G. H. H., JR.

Foreclosures Clean Up N. Y. Delinquent Rolls

***In Rem Actions Clear 19,000
Parcels in Last Three Years***

PROVISION for foreclosure of property tax liens through proceedings *in rem*, authorized by the New York state legislature five years ago, is clearing tax rolls throughout the state of long-standing delinquencies and restoring non-paying property to the active tax rolls.

This is disclosed in studies being made by the National Municipal League's Committee on a Program of Model Fiscal Legislation for Local Governments in its revision of the *Model Real Property Tax Collection Law*. The first report of the committee, in 1935, had recommended foreclosure of tax liens by proceedings *in rem* rather than by the more costly and cumbersome proceedings *in personam*.

New York City in 1948 became the largest municipality to provide for foreclosure by actions *in rem*. The new law required that every parcel tax-delinquent four years or more be included in a foreclosure action, and provided for the joining of actions so as to get the economies of simplified proceedings.

The first action was commenced by the city law department in March 1950, and thereafter, to April 30, 1953, there were commenced in all 31 *in rem* foreclosure actions affecting 38,974 parcels in all boroughs of the city. Of these actions, 24, involving 18,822 parcels, had been completed. To the end of 1952, the city treasurer received, either before the actual commencement of the actions or thereafter, but before entry of judgment, \$6,922,002. In addition, the city had, by April 1953, sold 1,451 parcels acquired by *in rem* proceedings for a total auction bid sum of \$6,778,246. The

assessed valuation of the parcels bid for was \$7,221,685.

The foreclosure actions related in some cases to taxes delinquent for a very long period—1895 in several instances. The necessity for reviewing every delinquent item outstanding four years or more also resulted in a marked improvement in records of property ownership in cases of parcels owned by philanthropic, religious or other eleemosynary organizations and by governmental agencies.

The city of Troy, which adopted the *in rem* optional law in 1952 and commenced its first foreclosure action in December 1952, had foreclosed on about 1,100 parcels through the forepart of 1953, many of them with a history of tax delinquency going back twenty years or more. The city found the detail work in preparing the first action to be considerable, but notes that hereafter the proceedings will be routine and involve far less in the way of tax searches and examination of parcel descriptions. The second foreclosure action, in preparation early last summer, involved less than a hundred parcels.

Sales Tax Used by Hundred Cities

More than a hundred cities with populations over 10,000 have general sales taxes, according to the Municipal Finance Officers Association. New York City was a pioneer, its levy going into effect in 1934. For 1952, the per capita yield for New York City's 3 per cent tax was about \$26. Its total sales tax receipts that year were about \$205,500,000.

The association's latest summaries put the average yield for cities at \$11.71 per capita, with the per capita amount of revenue varying from 75 cents in Huntington, West Virginia, to the New York figure. A resort area, like Atlantic City, New Jersey, which taxes at a

3 per cent rate, will also be likely to have a high per capita yield, because buying will be at a maximum during the tourist season. Atlantic City's per capita yield came to \$23.30, latest figures show.

Sales taxes have been adopted on the widest scale by municipalities in California, where 162 cities have such a tax.

Chief headache of the sales tax on the local level seems to lie in its collection. Tax experts point out that payment of the tax may be avoided by traveling only a short distance to a jurisdiction where no sales tax is in force. Use taxes, which assess articles bought elsewhere but used in a locale with a sales tax, are hard to enforce. But 91 of the California cities having a sales tax supplement those levies with use taxes.

Six states—Alabama, California, Colorado, Louisiana, Mississippi and New York—directly authorize some cities within their borders to levy sales taxes. Although Illinois permits the tax, provided cities first hold a referendum on the issue, thus far no city has adopted the tax.

Elsewhere, state courts have decided that where state laws and constitutions do not specifically allow imposition of sales taxes, the lawmakers intended to prohibit cities from tapping that revenue source.

Realty Assessments Continue Upward Trend

Real estate assessments continued to increase in 1953, and at an accelerating rate, according to a report by the National Association of Assessing Officers based on queries to representative cities and counties.

Seventy-two cities and counties, each with more than 100,000 population, took part in the survey, which showed that the average increase in real property valuation was 7.36 per cent, as compared

to 4.6 per cent in 1952, 4.4 per cent in 1951 and 2.9 per cent in 1950.

Largest single hike of any jurisdiction came in Erie, Pennsylvania, where assessed valuation leaped by 130 per cent or \$215,000,000, in a year. The association explained the increase by pointing out that Erie had revised its assessment from a 1932-33 base to a 1952 base.

Boston was the only jurisdiction to report a drop in assessed valuation. Boston's valuation declined .36 per cent. But several jurisdictions—among them Akron, Buffalo and Salt Lake City—reported losses in land value, although they said that improvements had made an over-all increase in assessed valuation of real property.

Akron's gain was large enough to place it in company with three other jurisdictions, besides Erie, to have assessed valuations rise more than 25 per cent over the previous year. They were Atlanta, Georgia, with a 34 per cent increase; Corpus Christi, Texas, 35 per cent; and Dade County, Florida, 50 per cent.

New York City's assessed valuation rose \$376,500,000 over last year but this represented only a 1.98 per cent increase because New York's previous valuation had already reached \$18,500,000,000.

For the survey, the association queried 48 cities, ranging in population from 101,531 in Utica to 7,835,099 in New York, and 24 counties, of which the smallest was Spokane County, Washington, with 161,721 population, and the largest was Cuyahoga County (Cleveland), Ohio, with 1,378,205 population.

The results showed that assessed valuations of counties increased nearly 17 per cent on the average, while the cities' assessments went up 4.08 per cent. The comparatively larger rise for counties may be attributed in the main to the outward movement of shopping centers, industrial plants and residential areas.

President Completes Inter-unit Study Commission

President Eisenhower in mid-September announced his final fourteen appointments to the Federal Commission on Intergovernmental Relations. Previously, appointment of the chairman and of the ten congressional members had been announced.

Chairman of the new commission is Dr. Clarence E. Manion, former dean of the Law School of the University of Notre Dame. Other presidential appointees include Dr. William Anderson, professor of political science at the University of Minnesota; Lawrence Apple, president of the American Management Association; John E. Burton, former director of the budget of the State of New York; Charles Henderson, mayor of Youngstown, Ohio, and president of the Ohio Municipal League; Samuel H. Jones, former governor of Louisiana; Dr. Clark Kerr, chancellor of the University of California; and Mrs. Alice K. Leopold, secretary of state for Connecticut.

Presidential appointees from the executive branch of the federal government included Marion B. Folsom, under-secretary of the Treasury; Mrs. Oveta Culp Hobby, secretary of the Department of Health, Education and Welfare; and Val Peterson, director of the Federal Civil Defense Administration. Also appointed by the President were Governor

Allan Shivers of Texas, Governor John S. Battle of Virginia, Governor Alfred E. Driscoll of New Jersey, and Governor Dan Thornton of Colorado.

Congressional members, appointed by the presiding officers of the respective houses, included, from the Senate, Guy Gordon of Oregon, Robert C. Hendrickson of New Jersey, Andrew F. Schoepel of Kansas, Clyde R. Hoey of North Carolina, and Hubert H. Humphrey of Minnesota, and, from the House of Representatives, James I. Dolliver of Iowa, Noah M. Mason of Illinois, Harold C. Ostertag of New York, John D. Dingell of Michigan, and Brooks Hays of Arkansas.

Created by the first session of the 83rd Congress, the commission is charged with the responsibility of making studies and recommendations on a broad field covering the relationships between the federal, state and local governments. Washington press dispatches have emphasized heavily the commission's duties with respect to study and investigation of federal aid programs, and it is expected that its first studies will be in the fiscal field. The commission's final report, including recommendations for legislative action, is required by the enabling law to be sent to the President for transmittal to Congress by March 1, 1954, and the commission is to expire six months after transmittal of its final report.

Mayor Pleads for Citizen Support

Why Vote for a Reformer Then Throw Him to Wolves?

EDITOR'S NOTE.—The story below is reprinted, with permission, from *Collier's* for October 30. Titled "Are You Sure You Want an Honest Mayor?" it was written by the "former mayor of a city of 80,000 [who] has had a long career in public works, law enforcement, the Merchant Marine, and as consultant to three committees of Congress. He's remaining anonymous (1) to avoid identifying his city, which is neither better nor worse than most; (2) to be sure his article is read for its message, rather than as a blast against old enemies."

IN A few days you and millions of other Americans will march into your local schoolhouse, church or town hall and exercise your democratic right to choose your public officials. . . .

Many of you, disturbed at evidences of municipal chicanery, will relieve your righteous rage by kicking the rascals out in time-honored American fashion and replacing them with reformers. . . .

Then, proud of a civic duty well done, you'll go home—and next year you'll find that your town is still a pesthole of governmental inefficiency and shady dealing, despite the basic honesty of the new officials.

Whose fault will it be?

Yours.

Every election year it happens. All over the country, earnest citizens turn out by the millions to clean up their local government, then walk away from the voting booth, figuring their responsibility is over. The new honest mayor never hears from them again. Forced to pick his way alone down the dark and devious corridors of city hall, he doesn't stand a chance against the corruption entrenched all around him.

You might actually do better to elect a crooked mayor—provided you then lived up to your next responsibility as a citizen—and watch him like a hawk.

Election day is only the beginning, if you really want good government. If your new mayor is honest, he'll need your help every minute he's in office. An alert, active citizens' committee or taxpayers' league can be the most valuable cleanup tool he has. . . .

Favors and favoritism pave the slick, smooth way to civic corruption, and it's a good bet there are people in your town who live on them. . . .

When the reform mayor comes along and tells these people that the very heart of good city government is equal treatment for all, they get fighting mad. They pass the word: "He's a stinker; we've got to get rid of him." And they will unless you and your neighbors are on the alert. . . .

I was a strictly honest, full-time stinker of a mayor myself—and I nearly went to jail for it. When the favor-grabbers were done with me, I was standing trial on trumped-up charges of obstructing justice, and many citizens of my home town probably thought I was a crook. Even today, more than a dozen years after my acquittal, some decent people in my town of 80,000 might tell you there must have been something dishonest about my administration.

Mine would have been a different story if I'd had public backing throughout my term. . . .

Nobody except the people actually working in my administration knew what a good job we were trying to do. What I needed—what any honest mayor will always need—was a permanent nonpartisan taxpayers' league with a full-time, smart, executive secretary who really knew his way around city hall and could report back to league members with the plain and simple facts. As it was, the

citizenry could hear about my administration only through newspapers which were opposed to me.

For example, when I took office, there was a shortage of policemen to guard school crossings, but a permanent staff of cops was detailed to move money for the local banks every morning. Now, the police have no more business delivering money than they have delivering milk. . . . I ordered the police to guard the kids instead of the cash. The bankers, forced to pay for their delivery service, never forgave me—which, of course, was their privilege. The citizens? They never even heard about the matter.

Peeking in Manholes

Then there was the case of the utility company and the underground conduits. An old city ordinance required private companies to pay for the use of city-installed and city-owned conduits under the streets. I found that one of the local utility companies had been using these conduits for fifteen years and had never paid a cent—in theory because nobody could figure out how much of the city's underground plant it was actually occupying.

Well, I was an engineer before I was a politician (and am again), and for a few weeks I got up at five every morning and looked in manholes before reporting to my desk. People must have thought me crazy. When I'd surveyed the conduits I sent the company a bill for fifteen years' back rent. They screamed and pulled political wires and raised such a behind-the-scenes fuss that when they finally paid up the city treasurer was afraid to accept the check! But he did at last, and the people of my city were relieved of that much tax burden. They never thanked me for it. They never knew I'd done it. . . .

I put an end to favor-grabbing in my town. You can do the same in yours, even if you aren't mayor.

First, make your city or town hall a goldfish bowl. Organize your taxpayers' league and persuade someone intelligent, courageous and aggressive . . . to be its executive secretary and go snooping. Even in a corrupt city government most of the clerks, cops, firemen and garbage collectors are absolutely honest. They're only too glad to talk about the waste, inefficiency and crookedness they've seen—if their names are kept out of it. . . .

Snooping, of course, is just one part of the job. Your taxpayers' league ought to insist that all city council meetings be open to the public; star-chamber proceedings, however well intentioned, are potentially a fraud on the voters.

The league ought to demand access to police arrest records, so it can find out when and why people arrested for prostitution, gambling or drunken driving are not prosecuted.

It ought to keep a file of all real estate assessments and get good, solid explanations for any large reductions.

It ought to hound city purchasing offices until all important city contracts are advertised in advance and awarded to the low bidder.

Whenever city hall steps out of line, your local taxpayers' league ought to squawk; even if the newspapers won't print it, having the squawk on record will be useful when the next election comes round. . . .

Publicity will make the honest mayor's job easier, but first he needs sound laws; there are certain basic regulations that your taxpayers' league should fight to get into your city charter. For example, it ought to be illegal for any city official to do business with the city on the side, or to profit from his office in any way except through his salary. It was illegal in my town, but that didn't keep some officeholders from trying to get around the law by operating private enterprises (with which they weren't publicly identified) and trying to get city business for

them. I got a ruling from the corporation counsel which put an end to such illegal practices—making a lot more enemies in the process. . . .

Your charter ought to contain minimum professional standards for every important city office. In recent years, in the cities of my state, I've seen a drug-gist made chief of police, a newspaper reporter appointed street superintendent, a shoe worker put in as parks commissioner and an alcoholic railroad worker made commissioner of public works. . . .

By all the rules, I should have been one of the most popular mayors my city ever had. I owed my election to nobody but the voters, and my administration ran on a policy of absolutely-no-favoritism. In a real economy drive, I lowered the tax rate, reduced the city's outstanding debt—and still supplied added services. I cut the mayor's salary more than 15 per cent, and took on without pay the additional jobs of finance director and commissioner of public safety. I got rid of the mayor's limousines, fired the mayor's chauffeur and drove myself around town, using my own car and gas I paid for myself. . . .

From Hero to Villain

Finally, I even got to be a local hero. A lunatic started shooting up one of the streets from a second-story window; after he'd killed a bystander and a policeman, the other cops were a little reluctant to go up after him. A crowd had gathered and a lot of people were in danger. As a former federal officer and ex-sheriff, I'd been shot at before. I borrowed a cop's gun and shinnied up a telephone pole behind the house to close the trap on the killer. Even the newspapers had to give me credit for that one.

I was a public hero—for a while. Not long afterward I was a public bum, under indictment for conspiracy to obstruct justice.

I had made what some people might

consider a mistake—I had refused to order a \$1,000,000 assessment reduction on the \$3,000,000 worth of downtown real estate owned by one of the city's newspaper executives. I told his representative that I wouldn't force the citizens to pay added taxes on their own properties in order to pad his real estate profits. The spokesman for the executive then told me that he had something on my administration and threatened to "get me" through the newspaper. I ran him out of my office.

The newspaper bigwig set private detectives on me and dug through my entire history as engineer, public works officer, federal prohibition enforcement administrator, sheriff, city councilman and mayor; I think it's the greatest compliment I ever received that after an investigation which cost him \$100,000 the only actual evidence he could produce against me was the fact that I had once exaggerated my age when I was a kid trying to get a job.

The executive then played his trump card: he went to certain public officials and showed them what they'd gain if I were out of the way. A few months later they had their frame-up ready.

Basically, the charge was that certain petty-larceny gamblers had paid for police protection, and that I knew all about it. The total money allegedly involved was a couple of hundred dollars split three ways.

Now, it was widely known that in the past, as prohibition administrator for half of my state, I had turned down cash bribes totaling \$750,000. What's more, the public record showed that as mayor I had unceasingly harassed the gamblers who—my enemies claimed—had made the payoffs. Nevertheless, the charges got to trial. Even my acquittal—and the breakdown of a prosecution witness, who admitted that an official of the newspaper had urged him to give

perjured testimony "or else he (meaning me) will have us all in jail"—couldn't stop the slander. . . .

I'd fight the same fight again, whatever the price.

That's the only way to get good government: fight for it, sacrifice for it. You, as a private citizen, probably will never be put through the wringer I went through. But you'll have to make sacrifices. You'll have to attend frequent meetings of your citizens' committee, taking the time from your recreation or business hours. You'll have to prepare for these meetings in advance, and go out and work for good government when they're over. You'll have to forget about your own political preferences and work strictly for clean government, even if it means hurting some friends (crooked politicians can be very nice guys, personally). . . .

It's just as hard as it sounds—but it's necessary. Good government never did, and never will, just happen. If *you* don't do something about it, nobody will.

Chicago First

Citizens of Greater Chicago, in their *Civic News*, cite the fact that the association is the "first great area-wide organization to coordinate the efforts of hundreds of already active civic groups in a unified crusade for good government; the only nonpartisan group organized to carry out a long-range program of modernization and improvement in all major fields of civic interest; and the best means ever offered the individual citizen to learn the techniques of intelligent good citizenship, broaden his participation in government, and act effectively, with new understanding of citizen responsibility." The *News* recites the organization's progress in its first year and lists the many projects on its program, among them reapportionment, a new city charter, a new judicial arti-

cle to the state constitution and conservation.

CGC takes action in three ways: By neighborhood initiative through improvement groups, community councils, etc.; utilization of existing laws through pressure on officials, both governmental and party; and by legislation.

A series of bulletins is devoted to reports on candidates running for office, explaining the duties of these officials. Propositions to appear on the ballot are discussed but no recommendations are made.

CGC is arranging a series of "special interest meetings." Two of these are already planned—conservation and redevelopment and law enforcement and the community's relationship with the police district.

Young Men in Government

The Committee for Young Men in Government has been organized "To enlist, on a nonpartisan basis, the active participation in political and governmental affairs of America's young business, industry and farm leaders who have heretofore left politics to the politicians; to help restore dignity and integrity to the federal government now; to aid in a continuing program for sound business principles in government at all levels in the future; and to provide an 'organized reserve' of young men in business, industry and farming who may be called upon to assume positions of leadership in politics and government."

It will function at the national, state and local levels and will urge its members to play an active part in political affairs, running for office, joining in nonpartisan campaigns for issues and candidates by recruiting workers, speaking at rallies and civic meetings, etc. On the national level the committee will serve only as a clearing house and organization body for local committees.

Chairman of the steering committee

of the new organization is H. Bruce Palmer, president of the Mutual Benefit Life Insurance Company of Newark and former president of the U. S. Junior Chamber of Commerce.

Home Rule Struggle

The Citizens' League of Pawtucket, in its October 8 *Know Your City Government*, takes issue with the decision of the Rhode Island Supreme Court declaring unconstitutional the provisions of its home rule charter regarding local election procedures.¹

"The decision was a terrific blow to advocates of full home rule to cities and towns of the state. However, the officers and directors of the Citizens' League refuse to be disheartened. That home rule is now meaningless goes without saying. When a community must depend upon the state legislature for the time, manner and means of electing local officials to office after it has adopted a home rule charter, the very keystone of home rule has been wrenched from its position, and the arch of home rule is certain to crumble soon thereafter. We bring this to your attention in this newsletter, so that if ever you are asked if the state of Rhode Island has home rule, you may have the answer at first hand."

The board of directors of the League has laid out a program to further full home rule. Among the steps advocated is an "immediate constitutional convention for the purpose of adding an amendment to the state constitution enumerating the home rule powers of the cities and towns of the state."

Membership Drive

Already one of the largest civic organizations in the country—it has 5,000 members—the Municipal League of Se-

attle and King County, Washington, is making a drive for 2,500 new members. "Everyone Should Get into the Act," says the league's *Municipal News*. "The league must continue to grow bigger and stronger because its strength lies in numbers. . . . The price of good government is a strong Municipal League. Just how strong the league is to continue to be is up to you."

Freedoms Foundation Program

Freedoms Foundation is planning its fifth national awards program, in which it offers cash awards as well as honor medals and certificates of merit "to go to individuals, organizations and schools throughout America for their outstanding work in behalf of a better understanding of the American Way of Life."

Ambitious Program

"With the coming of fall," says the *News Letter* of the Citizens' Civic Association of Fort Wayne, Indiana, "Local citizens, refreshed by summer vacations, take a renewed interest in improvements to their homes, businesses and communities, bringing the following civic objectives into clearer focus: (1) Extension of planning and zoning jurisdiction to city's fringe; (2) solution of traffic, safety and parking problems; (3) establishment of a permanent traffic commission by city ordinance; (4) enactment of a city health ordinance related to garbage and refuse; (5) adoption of modernized zoning classifications to changed areas; (6) improved street lighting of residential and business districts; (7) annexation of industrial areas based upon equitable considerations; (8) creation of sanitary districts to extend sewers to suburban areas; (9) improvement of river banks and rivers for recreational use; (10) support of proposed northeast independent conservancy district and flood control."

¹See also page 515, this issue.

State, Local Retirement Plans Need Clarifying

Integration with OASI Proves Pressing Issue

THE retirement programs of state and local employees have become thoroughly enmeshed in the intricacies of intergovernmental relations. The retirement benefits of local public servants involve congressional enactments, state constitutional provisions, state legislation, city charters, local referenda and municipal ordinances. The most pressing question continues to be the proper arrangement for integrating local and state programs with the old age and survivors' insurance program (OASI) of the federal social security system.

Donald B. Hayman's study, *Social Security and State and Local Retirement in North Carolina* (University of North Carolina, Institute of Government, 171 pages), presents a comprehensive analysis of the fundamental issues involved when the integration of state and local programs with OASI is under consideration.

Since the publication in 1952 of its *Report on the Philadelphia Municipal Pension Fund*, the Philadelphia Bureau of Municipal Research has devoted several issues of its weekly publication, *Citizens' Business*, to the pension problem. The June 8 number was addressed specifically to the question: "Should City Join Federal Social Security System?" One of the recommendations of the bureau's 1953 *Report on the Philadelphia Police Pension Fund* (51 pages) is: "In pension planning, the city should give primary emphasis to integrating the city systems with the OASI system."

The Associated Institutes of Government of Pennsylvania Universities' *Municipal Administration* for July raises the question, "Is Social Security

Enough?" The answer points to the necessity of working out a scheme for supplementing OASI benefits. A combination plan is described in an illustrated pamphlet, *Richmond's Retirement Plan*, prepared by the city of Richmond, Virginia, for its employees. Such an arrangement, however, is not possible without a series of expedients to circumvent the technicalities of federal law which extend OASI coverage to state and local employees if they are not under some other public retirement plan.

Robert J. Towle, Richmond actuary, analyzes some of the basic problems involved in "Social Security for Public Employees" (*Alabama Municipal Journal*, September 1953).

The way out of the present chaos of retirement programs is the subject of numerous studies. At the state level some efforts are being made to clarify pension laws, e.g., the Illinois Pension Laws Commission. The federal government is undertaking a number of studies of the social security system. A congressional group, headed by Representative Carl Curtis of Nebraska, is looking into all social security laws. The retirement of federal employees is being studied by a special interdepartmental committee with H. Eliot Kaplan of New York designated by the President as chairman.

A survey recently concluded in the U.S. Department of Health, Education and Welfare resulted in the introduction of a bill (HR-6812) extending social security coverage. Randy H. Hamilton and George H. Deming, of the Washington staff of the American Municipal Association, report in the *Virginia Municipal Review* for August 1953 that this bill, to be considered in January 1954, "extends social security to municipal employees with the exception of firemen and policemen, provided two-thirds of those voting in an election on the subject agree to come into OASI." Many questions are

still unanswered by this proposal and it is certain that other bills will be introduced early in the next session of Congress.

At the state level the problem has had extensive legislative consideration. In a summary of 1953 state legislation affecting municipalities, appearing in *Public Management* for September 1953, John R. Kerstetter notes that "relations of public personnel to the federal social security system are encompassed by a score of laws in more than a dozen states." The patterns followed by the new state retirement legislation take three forms: substituting OASI coverage for state benefits, extending OASI coverage only to the employees not covered by another system, and creating a dual coverage program. The last is more in line with advanced private personnel practice but, until federal laws are revised, it will be extremely difficult to arrange in some states.

States and municipalities are forced to cope with retirement benefit schemes in realistic terms because they constitute an increasingly significant item in public budgets. This fact is made clear in the lead article of the Providence Governmental Research Bureau's June bulletin, "Pension Costs—A Factor in Pay Scales." The *Washington Municipal Bulletin* for July 20, dealing with "1954 Budget Suggestions" for cities in the state of Washington, lists three new legislative enactments concerning retirement which have local budgetary implications. Similar situations exist in other states. The Bureau of the Census report on *Retirement Coverage of State and Local Employees* (1953, twelve pages) gives the most recent compilation of the basic statistics on the subject.

In any event the retirement program of public employees is one of the many problems which undoubtedly will be explored by the new federal Commission on Intergovernmental Relations.

Bureau Note

The Institute of Local Government, Pennsylvania State College, has summarized its *18 Years of Service to Pennsylvania Local Governments, 1935-1953* (four pages). This service has been to individual communities, associations of local officials, the commonwealth of Pennsylvania and numerous civic groups.

The Connecticut Public Expenditure Council has published an attractive brochure, *Halt the Mounting Tax Burden—A Program for Better Government 1953-54*. This compact report presents in three color process graphic charts which "tell a story of the legislative results and council action of the last session of the [Connecticut] General Assembly." These charts were displayed at the council's annual meeting.

WILLIAM N. CASSELLA, JR.

Research Pamphlets and Articles

Accounting

ACCOUNTING PROCEDURES FOR STATE STREET AID FUND (ONE PENNY ACT OF 1953) FOR TENNESSEE MUNICIPALITIES. By William T. Chaffin. Nashville, University of Tennessee, Division of University Extension, Municipal Technical Advisory Service, in cooperation with the Tennessee Municipal League, 1953. 16 pp.

Annexation

ANTIDOTE FOR FRINGE PROBLEMS: REALISTIC ANNEXATION. By David Goodman. (Digest of address before Annual Convention of the Tennessee Municipal League.) Nashville 3, Tennessee State Planning Commission, *Public Works Planning Newsletter*, July 1953. 4 pp.

Assessments

URBAN ASSESSMENTS ACROSS CANADA. Toronto 5, Citizens Research Institute of Canada, *Effective Government*, June 1953. 5 pp.

Budgets

BASIC BUDGET BACKGROUND FOR BALTIMORE CITY TAXPAYERS. Where the Money Comes From and Where It Goes. A report describing the municipal budgetary system and budget-making procedure, and summarizing statistics on budget trends and allocations. Baltimore 2, Commission on Governmental Efficiency and Economy, 1953. 13 pp.

BUDGET USE OF WORK LOAD DATA. Personnel Requirements Nailed Down. By Allen K. Rosencranz. Los Angeles 14, California Taxpayers' Association, *The Tax Digest*, September 1953. 5 pp. 25 cents.

Business

THE BUSINESS CYCLE IN SOUTH DAKOTA. By Paul Mathis. Vermillion, University of South Dakota, School of Business Administration, August 1953. 40 pp.

SCIENTIFIC METHOD IN BUSINESS—SOME OBSERVATIONS. College Park, University of Maryland, Bureau of Business and Economic Research, 1953. 8 pp.

Council-Manager Plan

PERSONNEL AND FINANCIAL CONTROLS IN COUNCIL-MANAGER GOVERNMENT. By Julian H. Orr. New York 16, *The American City*, September 1953. 2 pp.

Economic Development

A PROGRAM FOR ECONOMIC DEVELOPMENT OF CAROLINE COUNTY. Baltimore 2, Maryland State Planning Commission, 1953. 91 pp.

Education

AN APPRAISAL OF BOSTON'S SCHOOL LUNCH PROGRAM. Boston, Municipal Research Bureau, 1953. 96 pp. Tables.

IS STATE SCHOOL AID RATIONAL OR RIDICULOUS? Detroit 26, Citizens Research Council, *Council Comments*, September 11, 1953. 4 pp.

KENTUCKY'S EDUCATION PUZZLE. 5,000 Citizens Report on Their Schools. Frankfort, Kentucky Legislative Research Commission, 1953. 13 pp.

THE SCHOOL BOARD ASKS FOR TAXES. A Pittsburgh Experiment in Direct Democracy. Pittsburgh 19, Pennsylvania Economy League, Western Division, *P.E.L. Newsletter*, August 1953. 10 pp.

Fire Prevention

SURVEY OF TEXAS LAWS ON FIRE PREVENTION AND CONTROL. Austin, University of Texas, Institute of Public Affairs, 1953. 102 pp. \$1.00.

Home Rule

MUNICIPAL LEADERS HAVE THE "KNOW-HOW" TO WIN APPROVAL FOR HOME RULE. By Emmet Guy. QUESTIONS AND ANSWERS ON HOME RULE. Nashville, Tennessee Municipal League, *Tennessee Town & City*, September 1953. 2 pp.

Intergovernmental Relations

PROCEEDINGS NATIONAL CONFERENCE ON FEDERAL-STATE RELATIONS. Washington, D.C., Chamber of Commerce of the United States, 1953. 39 pp.

SOME ASPECTS OF INTERGOVERNMENTAL RELATIONS. By George H. Deming. (Address before Conference of Mayors and Other Municipal Officials of the State of New York.) Minneapolis 14, League of Minnesota Municipalities, *Minnesota Municipalities*, August 1953. 3 pp.

Legislative Bodies

THE ART OF BEING AN ALDERMAN. By Arthur Bromage. Nashville, Tennessee Municipal League, *Tennessee Town & City*, July 1953. 5 pp. 30 cents.

THE FIFTY-THIRD TEXAS LEGISLATURE—A REVIEW OF ITS WORK. By T. E. McMillan, Jr. Austin, University of Texas, Institute of Public Affairs, 1953. 32 pp.

Library Administration

CHANGING PATTERNS OF REFERENCE SERVICE. Proceedings of the Section on University and Public Library Administration, 17th Annual Institute of Government, 1952. Seattle 5, University of Washington, Bureau of Governmental Research and Services, in cooperation

with Division of Adult Education and Extension Services, 1953. 40 pp. \$1.00.

Manuals

OFFICE MANAGEMENT MANUAL FOR LEGAL AID SOCIETIES. By Junius L. Allison. Chicago 37, Public Administration Service (published under auspices of National Legal Aid Association), 1953. 109 pp. \$2.00.

PROPOSED OFFICIALS MANUAL. 101 Questions and Answers Every City Official, Engineer, Architect and Municipal Contractor Should Know. Fort Worth, Texas Construction Council, 1953. 37 pp.

Metropolitan Areas

METROPOLITAN TORONTO. Toronto, Metropolitan Council, 1953. 14 pp. Charts, maps.

THE MUNICIPALITY OF METROPOLITAN TORONTO—A NEW ANSWER TO METROPOLITAN AREA PROBLEMS. By Frederick G. Gardiner. (Address before the American Bar Association.) Toronto, 1953. 5 pp. (Apply author, Metropolitan Council, Toronto.)

Natural Resources

PUBLIC ADMINISTRATION OF FLORIDA'S NATURAL RESOURCES. By Hubert Marshall and Robert J. Young. Gainesville, University of Florida, Public Administration Clearing Service, 1953. ix, 257 pp.

Personnel

PERSONNEL STORY. Toronto 5 (Ontario), Bureau of Municipal Research, *Civic Affairs*, September 10, 1953. 6 pp.

Police

POLICE ADMINISTRATION AND THE PROBLEM SOLVERS. By C. Bruce Smith, Jr. New York 20, Governmental Research Association, *GRA Reporter*, January-February 1953. 6 pp.

Public Relations

RELACIONES PUBLICAS PARA EMPLEADOS GUBERNAMENTALES. Un Programa De Acción. By Eleanor S. Ruhl. Chicago 37, Public Administration Service, 1953. 31 pp. \$1.00.

Public Utilities

FINANCING ELECTRIC - MUNICIPAL BUILDINGS IN TENNESSEE. By Victor C. Hobday. Nashville, University of Tennessee, Division of University Extension, Municipal Technical Advisory Service, in cooperation with the Tennessee Municipal League, 1953, 63 pp. Charts.

Recreation

PUBLIC RECREATION AS A MUNICIPAL SERVICE IN ALABAMA. By Robert T. Daland. Montgomery, University of Alabama, Bureau of Public Administration, in cooperation with The Alabama League of Municipalities, 1953. 23 pp.

Refuse Disposal

A SURVEY OF REFUSE COLLECTION AND DISPOSAL IN LOWER BUCKS COUNTY, Bristol, Pennsylvania Economy League, Lower Bucks County Branch, in cooperation with the Bucks County Planning Commission, 1953. 66 pp.

Research

THIRD ANNUAL INVENTORY OF RESEARCH IN MISSISSIPPI. Jackson, Mississippi Research Clearing House, 1953. xi, 54 pp. \$1.00.

Salaries

SALARIES OF MUNICIPAL OFFICIALS IN GEORGIA—1953. Athens, University of Georgia, Bureau of Public Administration, in cooperation with The Georgia Municipal Association, 1953. 9 tables \$1.00.

Sewage Disposal

FINANCING MUNICIPAL SEWERAGE SYSTEMS IN ALABAMA. By Robert T. Daland. Montgomery, University of Alabama, Bureau of Public Administration, and the Alabama League of Municipalities, 1953. 19 pp.

JOINT ACTION FOR SEWAGE TREATMENT IN THE SYRACUSE METROPOLITAN AREA. Statement of the Case for Area-wide Action and a Sound and Lasting Solution. Syracuse (New York), Governmental Research Bureau, Inc., 1953. 31 pp.

PLANNING AND CONSTRUCTING SEWAGE DISPOSAL FACILITIES. A Guide for Municipal Officials for Planning, Constructing and Financing Sewers and Sewage Treatment Facilities in West Virginia. Morgantown, West Virginia University, Bureau for Government Research, 1953. 39 pp.

Shopping Centers

DOWNTOWN VERSUS SUBURBAN SHOPPING. By C. T. Jonassen. Columbus, Ohio State University, Bureau of Business Research, 1953. 99 pp. Tables, charts. \$2.00.

State Government

KANSAS STATE ADMINISTRATIVE ORGANIZATION: 1953. Lawrence, University of Kansas, Governmental Research Center, *Your Government*, September 15, 1953. 3 pp. Chart.

Taxation and Finance

CENTRAL COLLECTION AGENCY SAVES TAX DOLLARS. By Leonard S. Hill. Concord, New Hampshire Taxpayers Federation, *The New Hampshire Taxpayer*, September 1953. 2 pp.

GENERAL MUNICIPAL EXPENDITURE PER CAPITA. San Antonio (Texas), Research and Planning Council, *Report to the Citizens*, September 24, 1953. 8 pp.

PROBLEMS OF GOVERNMENT AND FINANCE IN MARION TOWNSHIP. Columbus 15 (Ohio), Citizens Research, Inc., 1953. 11 pp.

A REPORT ON FINANCING THE MUNICIPAL GOVERNMENT OF KANSAS CITY, MISSOURI. Prepared for the Municipal Survey Committee of the Chamber of Commerce. Chicago, Public Administration Service, 1953. ix, 104 pp.

REPORT ON ORDINANCE 52-235 TO REPEAL ADMISSIONS TAX AND REPORT ON

OPERATION OF THE GAS UTILITY. Richmond (Virginia), Citizens Committee on Financial Policy, 1953. 5 and 9 pp., respectively.

SIXTH ANNUAL REPORT ON THE TAXING UNITS IN HARRIS COUNTY (1952 Fiscal Year). Houston, Texas, Tax Research Association of Houston and Harris County, 1953. 52 pp.

THE SOLDIERS, SAILORS AND MARINES' FUND. Hartford 3, Connecticut Public Expenditure Council, *News and Views, Your State and Local Government*, May 18, 1953. 2 pp.

TAX AND EXPENDITURE POLICY FOR 1953. A Statement on National Policy. New York 22, Committee for Economic Development, Research and Policy Committee, 1953. 20 pp.

YOUR LOCAL TAXES . . . MAYBE TOO LOW. Washington 6, D. C., *Changing Times*—The Kiplinger Magazine, September 1953. 6 pp. 50 cents.

Transit

MASS TRANSIT VS. THE AUTOMOBILE. Philadelphia 7, Bureau of Municipal Research, *Citizens' Business*, May 25, 1953. 8 pp. Charts.

Veto Power

CASE FOR ITEM VETO. States permit it . . . should federal government follow lead? New York 20, Tax Foundation, *Tax Outlook*, June 1953. 4 pp.

Zoning

NEW APPROACH TO SMALL CITY ZONING. By W. G. Roeseler. Los Angeles 17, *Western City*, September 1953. 1 p.

ZONING SURVEY FOR SOUTH HUTCHINSON. Lawrence, University of Kansas, Governmental Research Center, 1953. 27 pp.

Books in Review

ABANDONMENTS OF THE MANAGER PLAN. A Study of Four Small Cities. By Edwin O. Stene and George K. Floro. Lawrence, University of Kansas, Governmental Research Center, 1953, iv, 107 pp.

These are on-the-spot reports from four small midwestern cities where council-manager government has succumbed recently to heavy fire: Mason City, Iowa; Rhinelander, Wisconsin; Aberdeen and Madison, South Dakota. Madison re-adopted the plan in April 1951. The authors hope "to assist in making the manager plan more successful," but they do not pretend to have a representative sample of abandonments. As of this date a total of some fifty cities in the United States have given up the plan by popular vote. Stene and Floro find that each of these four cities has had only one manager for an appreciable length of time in recent years. With one exception, the managers had professional engineering training and had served as engineers in municipal government.

The authors find that a common grievance among the people in these places was the tendency toward unanimous council votes, and that may be "a corollary to election-at-large." "Perhaps . . . small governing bodies will seek to reach formal decisions by unanimous vote. . . . City managers also tend to encourage unanimity." But unanimity "is unnatural in a divided community, and most communities are divided."

In all four places chief support for the manager plan came from the downtown business leadership, principally "the younger rising businessmen or the junior chamber of commerce people," while opposition was centered in the lower economic groups. In each case a "crack-pot" appeared as leader of the opposition, a relatively unknown person who felt that the "better people" controlled the government and were excluding him. In no case was this man able to hold his following

after his task of persuading abandonment was finished.

In Rhinelander, "perhaps the most important factor in the abandonment of city-manager government was the refusal of the supporters to consider a change to the ward system of electing the city council. Labor was convinced that its members were at a disadvantage in city-wide elections. . . . The working people chose to be assured of a minority voice at all sessions of the city council rather than depend upon the remote chance that they might some day elect a majority of the council in elections at large."

"There may be a real question about the desirability of election at large. A complete ward system is usually unwise because councilmen tend to be interested primarily in programs designed to benefit their respective wards. . . . Possible compromise plans might well be supported more often than they are by advocates of the manager system." There is no mention of proportional representation as a method of electing the council, a system which would give the minority, as well as the majority, representation in proportion to its voting strength.

Other features entering into these abandonments of the council-manager plan, according to the authors, include emphasis on the business analogy as justification for the use of the plan and the lack of education on its advantages.

The authors conclude with speculation about the degree to which a manager should assume responsibility for public relations: "Oddly enough, the city manager is more alert to public reaction than is his council."

GUTHRIE S. BIRKHEAD

MODEL CONSTITUTIONAL PROVISION FOR MUNICIPAL HOME RULE. By Jefferson B. Fordham. Chicago, American Municipal Association, 1953. 30 pp. \$1.25. (With remittance, \$1.00.)

The American Municipal Association is to be commended for publishing, and Jefferson B. Fordham for preparing, this draft of a model state constitutional provision for municipal home rule. The several preliminary drafts were reviewed by the association's Committee on Home Rule but the final draft was never "officially approved" by the entire committee and the association. Nevertheless, the model is a significant step forward in the area of state-local legal relations.

The traditional home rule distinction between general and local affairs is abandoned. In its place the draft proposes that a city "may exercise any power or perform any function which the legislature has power to devolve upon a non-home rule charter municipal corporation." No longer, under this provision, would courts be faced with the impossible task of determining which powers of government ought to be exercised by the state and which by the municipality—impossible because in this modern age so many powers must be exercised by both.

The courts would be faced only with the question of whether a power claimed for a city is delegable by the legislature. Surely this is an improvement over present practice in most home rule states, although distinguishing between delegable and non-delegable powers might still prove to be a task of some magnitude. Especially will this be so if the courts choose to construe delegable powers narrowly.

In general the AMA model represents the most advanced thinking available. The proposal concerning city enactment of private law is a real contribution as is the idea of allowing optional charters for those cities wanting to be neither general nor home rule. Furthermore, the draft has attempted to alleviate one of the real sore points of state-municipal relations, i.e., state legislation requiring increased municipal expenditures without provision for additional revenue. To what extent

this provision would accomplish its purpose without introducing new complexities into state-local relations probably only experience would tell.

By the AMA model law, charter adoption is dependent on procedure established by the legislature. If the legislature fails to act, the city council of each municipality is empowered to establish procedure. In the absence of council action and upon presentation of a petition, judicial mandate to compel action by the council is available. Even though compelled to act, the council might sabotage intent and for this reason the National Municipal League's *Model State Constitution* article on local government includes a self-executing provision.

JOHN P. KEITH

THE CINCINNATI AREA MUST SOLVE ITS METROPOLITAN PROBLEMS. By Doris D. Reed and Thomas H. Reed. Cincinnati, The Stephen H. Wilder Foundation, Public Affairs Division, 1953. 44 pages. Map.

A necessary preliminary to broad-scale action on most of our metropolitan problems is better public understanding of their nature. The Reeds in this report have tried to strike a medium between a detailed, scholarly study and a popularization. The result is a good foundation on which the new Cincinnati Committee on Metropolitan Areas can build. The authors look at six "ways of mitigating if not solving the metropolitan problem" which are used in the Cincinnati area.

The pamphlet does an excellent job of highlighting the fiscal and service capacities of the 32 suburbs hemming in the city of Cincinnati. The startling contrast between aristocratic Indian Hill and depressed Lincoln Heights, in terms of rateables, police, water and so on, is a sad story with a counterpart in every large metropolitan complex. How long will it be before it becomes a fighting story?

The Reeds make a strong recommenda-

tion that Cincinnatians try a seventh way of remedying their suburbanitis—the untried cure of long-standing reputation, two-level or federated government.

G.S.B.

DIRECT PRIMARY SYSTEMS IN THE UNITED STATES. A Compilation of Primary Laws. New York City, League of Women Voters of New York State, 1953. 102 pp. \$1.

For a current study by local leagues of women voters throughout New York State, looking toward improvement of the direct primary law, the state league has collected from other state leagues, as well as boards of elections throughout the country, facts, laws and comment from 47 states in orderly questionnaire fashion. (Connecticut has no primary law.) The answers are compiled in this report, which will be of rare value to any other worker in the field.

R.S.C.

Additional Books and Pamphlets

(See also Researcher's Digest and other departments)

Assessments

THE ASSESSMENT AND TAXATION OF UNFINISHED BUILDINGS IN CANADA. A discussion of Canadian laws, practices and the desirability of assessing unfinished buildings. By Douglas H. Clark. Chicago 37, Municipal Finance Officers Association of the United States and Canada, 1953. 4 pp. 50 cents.

Democracy

THE COMPLEXITY OF AMERICA. The University of Chicago Round Table—NBC Radio Discussion. By Paul Appleby, Morton Grodzins and Charner Perry. Chicago, University of Chicago, July 12, 1953. 16 pp. 10 cents.

Foreign Relations

CONGRESS AND FOREIGN RELATIONS. Edited by Thorsten V. Kalijarvi and

Chester E. Merrow. Philadelphia 4, American Academy of Political and Social Science, *The Annals*, September 1953. 177 pp. \$2.00.

OUR FOREIGN AID PROGRAMS. A Survey of U.S. International Assistance Programs, 1941-1952. New York 20, Tax Foundation, 1953. 36 pp. Tables and charts.

Highways

HOW TO PLAN AND PAY FOR BETTER HIGHWAYS. Detroit 2, General Motors, 1953. 99 pp.

MASTER PLAN OF HIGHWAYS FOR THE MARYLAND-WASHINGTON REGIONAL DISTRICT. Montgomery and Prince George's Counties. Riverdale (Maryland), National Capital Park and Planning Commission, 1953. 30 pp. Maps, charts.

Intergovernmental Relations

SCHOOL-CITY COOPERATION IN THE PLANNING OF RECREATION AREAS AND FACILITIES. By George D. Butler, New York 10, National Recreation Association, 1953. 12 pp. 75 cents.

Legal Profession

HISTORY OF THE AMERICAN BAR ASSOCIATION AND ITS WORK. By Edson R. Sunderland. With a Concluding Chapter on The Committee on Scope and Correlation of Work and Its Program. By William J. Jameson. Boston 9, Survey of the Legal Profession, 1953. vii, 251 pp. (Apply Office of the Director, 60 State Street, Boston 9.)

THE LAWYER FROM ANTIQUITY TO MODERN TIMES. With particular reference to the development of Bar Association in the United States. By Roscoe Pound. St. Paul, West Publishing Company, 1953. xxxii, 404 pp. \$5.00.

LEGAL EDUCATION IN THE UNITED STATES. A Report Prepared for the Survey of the Legal Profession. By Albert J. Harno. San Francisco, Bancroft-Whitney Company, 1953, v, 211 pp. \$3.50.

THE LIBRARIES OF THE LEGAL PROFESSION. (Prepared for the Survey of the

Legal Profession under Auspices of American Bar Association.) By William R. Roalfe. St. Paul, West Publishing Company, 1953. xviii, 471 pp.

Legislative Investigations

LEGISLATIVE INVESTIGATIONS. (An address before the Citizens Board of the University of Chicago.) By Laird Bell. Chicago, 1953. 13 pp. (Apply author at the University of Chicago.)

Municipal Government

FOUR STEPS TO BETTER GOVERNMENT IN NEW YORK CITY.¹ A Plan for Action. Report of the Temporary State Commission to Study the Organizational Structure of the Government of the City of New York. New York, the Commission, 1953. 136 pp. Charts.

Natural Resources

WATER & POLITICS. A Study of Water Policies and Administration in the Development of Los Angeles. By Vincent Ostrom. Los Angeles, The Haynes Foundation, 1953. xviii, 297 pp. Tables, maps. Clothbound \$4.00, paperbound \$2.50.

Planning

PLANNING ONE TOWN. PETERSHAM, HILL TOWN IN MASSACHUSETTS. By John D. Black and Ayers Brinser. Cambridge, Harvard University Press, 1952. 5 pp. Maps, tables.

TRENDS FOR MODERN COMMUNITIES. By Max S. Wehrly. Washington, D.C., Urban Land Institute, *Urban Land*, September 1953. 4 pp.

Population

ESTIMATES OF THE POPULATION OF STATES: JULY 1, 1940 TO 1949. Washington 25, U. S. Department of Commerce, Bureau of the Census, 1953. 8 pp. 10 cents.

ESTIMATES OF THE POPULATION OF THE UNITED STATES, BY AGE, COLOR, AND SEX: JULY 1, 1950, 1951, AND 1952. Washington 25, D. C., U. S. Department

of Commerce, Bureau of the Census, 1953. 9 pp. 10 cents.

MARYLAND POPULATION FORECASTS THROUGH 1970. Baltimore 2, Maryland State Planning Commission, 1953. 35 pp. Charts. 50 cents.

President

SELECTING THE PRESIDENT (Two volumes). The NUEA Discussion and Debate Manual—1953-1954. Edited by Bower Aly. Madison (Wisconsin), National University Extension Association, Committee on Discussion and Debate Materials and Interstate Cooperation, 1953. 31 pp.

Public Health

NURSING NEEDS AND RESOURCES OF THE STATE OF MARYLAND. Baltimore 2, Maryland State Planning Commission, Committee on Medical Care, Subcommittee on Nursing Needs, 1953. 63 pp. Tables.

Purchasing

MUNICIPAL INDEX. The Purchasing Guide for City Officials. New York 16, American City Magazine Corporation, 1953. 995 pp. \$5.00.

Retirement Plans

CRITERIA FOR EVALUATING RETIREMENT SYSTEMS FOR PUBLIC EMPLOYEES. A discussion of the retirement system movement and of suggested standards for judging a municipal retirement system. Chicago 37, Municipal Finance Officers Association of the United States and Canada, 1953. 8 pp. 75 cents.

Services to Outside Communities

MUNICIPAL SERVICES TO FRINGE AREA RESIDENTS. A Survey of Tennessee Practices. By Harlan Mathews. Nashville 3, Tennessee State Planning Commission, Division of State Planning, 1953. 37 pp. \$1.00.

State Government

ESSENTIALS OF MISSOURI GOVERNMENT. By Robert F. Karsch. Columbia (Missouri), Lucas Brothers, 1953. 174 pp. Tables, charts, maps.

¹For a description of the plan of government proposed, see page 517, this issue.

State Reorganization

DEPARTMENT OF CORPORATIONS AND TAXATION. Twelfth Report of the Special Commission on the Structure of the State Government. Boston, the Commission, 1953. 99 pp.

Taxation and Finance

FINANCE ADMINISTRATION—PLANNING, EXECUTION, EVALUATION. New York 22, International Business Machines Corporation, 1953. 20 pp. Illus.

THE PENNSYLVANIA TAX PROBLEM. Summary of discussion at Tax Institute Regional Round Table Conference. Princeton (New Jersey), Tax Institute, *Tax Policy*, July-August 1953. 8 pp. 50 cents.

REPORT OF THE INTERIM TAX AND FISCAL REVISION COMMITTEE. Submitted to the Governor of the State of Oregon and the Forty-seventh Legislative Assembly. Salem, the Committee, 1953. 13 pp.

STATE TAX COLLECTIONS IN 1953. Washington 25, D. C., U. S. Department of Commerce, Bureau of the Census, 1953. 10 pp. Tables. 10 cents.

Textbooks

THE AMERICAN FEDERAL GOVERNMENT. By John H. Ferguson and Dean E. McHenry. New York, McGraw-Hill Book Company, Inc., 1953. x, 902 pp. \$5.50.

THE AMERICAN SYSTEM OF GOVERNMENT. By John H. Ferguson and Dean E. McHenry. New York, McGraw-Hill Book Company, Inc., 1953. xii, 1056 pp. \$6.00.

INTRODUCTION TO GOVERNMENT. By Robert Rienow. New York, Alfred A. Knopf, 1952. xix, 596 pp. \$5.00.

Traffic

TRAFFIC LAW ENFORCEMENT AND SIXTEEN RESOLUTIONS OF THE CHIEF JUSTICES AND THE GOVERNORS. By Arthur T. Vanderbilt. New York 12, Institute of Judicial Administration, 1953. 36 pp. Maps.

Traffic Safety

LET'S MAKE IT SAFE! An Inventory of Community Traffic Safety Needs. Washington 6, D. C., The General Federation of Women's Clubs, 1953. 6 pp.

OPERATION SAFETY. Program Kit for Traffic Safety Promotion. Theme for December 1953: HOLIDAY HAZARDS. Chicago 11, National Safety Council, 1953. Various pages.

Urban Development

MORE PAYROLLS FOR A BEDROOM COMMUNITY. Industrial Council Recommendation for Controlled Development for San Mateo County, California. Washington 6, D. C., Urban Land Institute, *Urban Land*, March 1953. 2 pp.

Urban Decentralization

ARE NEW YORK'S BUSINESS OFFICES GOING ON THE WAY TO THE SUBURBS? New York, The Bowery Savings Bank, 1953. 13 pp.

Zoning

COMPARATIVE DIGEST OF MUNICIPAL AND COUNTY ZONING ENABLING STATUTES. For Reference in Community Planning, Housing, Slum Clearance, Urban Redevelopment Programs. Washington 25, D. C., Housing and Home Finance Agency, Office of the Administrator, Division of Law, 1952. xvi, pp. 60 cents.

Gallup Nominated for President

George H. Gallup, director of the American Institute of Public Opinion, is to be nominated for president of the National Municipal League on November 9 at the National Conference on Government in Richmond, it was announced by the Nominating Committee which met in New York.



George H. Gallup

and former New York State superintendent of insurance, for reelection as president.

Of the fifteen regional vice presidents, all but three to be nominated are incumbents. Ben B. Ehrlichman of Seattle, Carl J. Gilbert of Boston and Carleton B. Tibbetts of Los Angeles will be proposed as new regional vice presidents.

New members of the League's Council to be placed in nomination are Arthur W. Bromage, Ann Arbor; William H. Bulkeley, Hartford; Gilbert H. Bee, New York; Charles E. Combs, Jr., Jacksonville; L. P. Cookingham, Kansas City; Karl Detzer, Grand Island, Michigan; Arnold Frye, New York; Thomas Graham, Louisville; M. Hanes, Winston-Salem, North Carolina; and H. Bruce Palmer, Newark, New Jersey. The terms of new council members will expire in 1956.

The Nominating Committee is com-

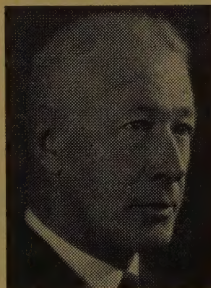
posed of William Collins, chairman; Frederick L. Bird, Lloyd Hale, James M. Osborn and Carl H. Pforzheimer.

90th Birthday Tribute to Lawson Purdy

Lawson Purdy, president of the National Municipal League from 1915 to 1919, received an editorial tribute from the *New York Times* recently.

Honoring his 90th birthday, the newspaper described the former League president and life member of the Council as a man "who has served this community with enthusiasm, foresight and devotion to the public interest for many years. . . .

"The list of Lawson Purdy's good offices is long," the editorial continued. "He was one of the pioneering fathers of the 1916 zoning resolution in New



Lawson Purdy

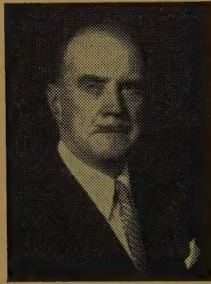
York. He was president of the Department of Taxes and Assessments from 1906 to 1917. Better housing for New York's people of lower income was close to his heart always. He was president of the Robert Schalkenbach Foundation and the Russell Sage Foundation, and a leader in the Regional Plan Association, the National Conference on City Planning and the National Municipal League.

"He has been a pillar of strength in charitable and religious works. One of the nicest things ever said of him was spoken by a critic, back in the 1932 days of relief. This critic said he was 'too much of a sentimentalist'."

League Publishes New Model Bond Law

A Model County and Municipal Bond Law, prepared by the League's Committee on a Program of Model Fiscal Legislation for Local Governments, of which Arnold Frye is chairman, has been published by the League and is now available.

The model provides a borrowing procedure which, within reasonable limits, "gives local governments a flexible



Arnold Frye

means of borrowing for capital improvements through the use of general obligation bonds," Dr. Frederick L. Bird, director of municipal research, Dunn & Bradstreet, and Committee member, writes in an introduction. It also "imposes numerous safeguards against the misuse and excessive use of borrowing power, encourages the planning of capital programs and discourages defective debt administration, incorporates procedural and security provisions that will facilitate borrowing at the lowest possible cost, and preserves for the electorate the right to review and pass on borrowing proposals."

The need for such a law is underscored by Alfred Willoughby, executive director of the League, in his foreword. Because of the great increase in the volume of municipal bonds issued since World War II, "the weaknesses, needless handicaps and abuses in the orderly and economical management of public borrowing have become more apparent," he writes. The law was first drafted in 1939 and has since been re-

viewed, criticized and refined with the help of many finance experts and by drafting committees of several state legislatures in what Mr. Willoughby calls "a series of laboratory tests."

The model law is one of a series of local government finance prepared by the Committee that seeks to preserve procedure, for adoption on a statewide basis, that will regulate the performance of basic financial functions of local government in keeping with approved modern standards.

Copies of the law are obtainable from the League's office. The price is \$1.

Visitor from Alaska

Victor Fischer, executive secretary of the League of Alaskan Cities and planning director of Anchorage, paid a visit to the League offices recently. He was supplied with League pamphlets to inform organizations in Alaska about the council-manager plan. Fischer had extensive talks with all staff members.

Raymond C. Atkinson Dies

Raymond C. Atkinson, member of the League's first Committee on County Government and author of its second report, *Principles of a Model County Government*, published in 1933, died recently in Cleveland. Dr. Atkinson had been an administrative analyst at the Bureau of the Budget since 1939. He also prepared the original draft of *Model County Manager Charter*, scheduled for early publication.

Childs Aids Brookings Study

Richard S. Childs, chairman of the League's Executive Committee, recently accepted an invitation from the Brookings Institution in Washington to serve on the advisory committee for the Brookings study of the presidential nominating process.